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Refugee Reports

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ADMINISTRATION TO ANNOUNCE REFUGEE CEILINGS FOR FY 87

The Reagan administration, having concluded consultations with Congress, is expected to announce a worldwide refugee admissions ceiling of 70,000 for FY 87, according to a State Department official. This would mark the first time since passage of the Refugee Act of 1980 that the admissions ceiling increased from the previous year. Last year's ceiling was 67,000, although the State Department estimates that actual arrivals in FY 86 will total about 62,500.

Southeast Asian refugee numbers would drop by 5,000 under the new ceiling, and increases ranging from 500 to 2,000 would occur in regional ceilings for Africa, Eastern Europe and the Soviet Union, Latin America and the Caribbean, and the Near East and South Asia.

The FY 87 admissions ceiling would also include an unallocated, unfunded reserve of 4,000 to respond to "unanticipated refugee admissions needs." Official sources say that this reserve would be used only after consultations with the House and Senate judiciary committees.

The administration is expected to announce the authorized refugee admissions numbers for FY 87 some time during the week of October 13, according to government sources.

AREA OF ORIGIN	PROPOSED CEILINGS FOR FY 87
Africa	3,500
East Asia	
First Asylum Countries	32,000
Orderly Departure Program (ODP) from Vietnam	8,500
Eastern Europe & Soviet Union	10,000
Latin America & Caribbean	4,000
Near East and South Asia	8,000
Reserve for Unanticipated Refugee Admissions Needs	4,000
TOTAL	70,000

IN THIS ISSUE:

The closing weeks of the 99th Congress saw a flurry of refugee-related activity, including consultations on the ceiling for FY 87 refugee admissions..........1

- Recent Developments

Congressional hearing examines situation of Cuban political prisoners; Immigration reform bill may be revived; Khao I Dang to remain open at end of year; Alien processing underway in Oakdale; Massachusetts funds defense for asylum seekers; Supreme Court examines asylum standard.............6

- Update 5
- Projects and Programs

Programs train refugees in business development.......10

- Reader Exchange 14
- Meetings and Conferences
- Resources.............14
- Statistics

FY 86 Indochinese refugee activity as of August 31, 1986......................16

The consultations are required by the Refugee Act of 1980, and are held annually between the executive branch and Congress. Authority for determining admissions, however, rests with the President.

This year, Secretary of State George P. Shultz presented the administration's proposed FY 87 refugee admissions before the Senate on September 16. Also testifying was Ambassador Jonathan Moore, the new U.S. Coordinator for Refugee Affairs.

Shultz blamed budget reductions and the need to shift more than $9 million from the admissions program to refugee assistance programs in Africa and Southeast Asia as "the primary reason for actual admissions in fiscal year 1986 falling some 4,500 below the ceiling."

Simpson Critical of East Asian Numbers There was bipartisan support in the House Judiciary Committee for the administration's proposed numbers. In the Senate, that support was echoed by Sen. Edward M. Kennedy (D-Mass.), but Sen. Simpson criticized the continuing predominance of East Asian admissions numbers.

In an October 2 letter to the President, Simpson recommended that the refugee admissions ceiling "be reduced by not less than 10,000." The letter did not propose specific cuts in any of the regional ceilings, but it did say, "there simply are not 32,000 Southeast Asians of special humanitarian concern to the United States that are presently in first asylum countries."

"Are we making any progress in Southeast Asia, or are we operating an open-ended program that is never going to stop?" asked Simpson. He noted that camp populations in Southeast Asia had diminished only slightly during the past two years and that other countries had reduced their admissions numbers. "Why does it take so long for the U.S. to realize that the vast majority are economic migrants?" he asked.

Simpson said at the Senate hearing that the United States and the United Nations High Commissioner for Refugees (UNHCR) "have become mired in a single-solution approach to the Indochinese refugee program, and that's third-country resettlement."

Ambassador Moore answered, "We will do our best to bring the numbers down. We need to work creatively on voluntary repatriation and local integration, and we need to be resourceful and dynamic in encouraging other countries to share the burden."

Moore said that the attempt to shift to immigration processing for Cambodians in Thailand, though plagued with logistical and procedural problems during the past year, represented another effort to reduce camp populations. He noted, however, that "we should not abandon the refugee process. We still have to provide protection and help for genuine refugees, and we need significant numbers to encourage the countries in the region to protect the concept of first asylum."

In addition to the 32,000 numbers proposed for East Asian refugees in first asylum countries, the administration also proposed maintaining the number of 8,500 for refugee processing of Vietnamese under the Orderly Departure Program (ODP).

On January 1, 1986, the Vietnamese government suspended UNHCR interviewing in Ho Chi Minh City for U.S. cases. The Vietnamese have said that no interviewing of new applicants will be allowed until the United States clears up a "backlog" of some 14,000 to 15,000 applicants who have already been interviewed.

"We are taking people in the backlog, but we have a finite number of refugee slots," a State Department official told Refugee Reports. "The U.S. is interested in the higher priority individuals at the moment, namely political prisoners and Amerasians."

Simpson Questions Need for Unallocated Reserve In a report submitted to Congress as part of the consultations process, the Office of the U.S. Coordinator for Refugee Affairs indicated that the unallocated reserve of 4,000 would enable the United States to respond to such unanticipated situations as "increased emigration from the Soviet Union and Eastern Europe, release of reeducation camp prisoners in Vietnam, or increased refugee flows in Southern Africa."

At the September 16 hearing, Sen. Simpson asked Shultz, "Why is this reserve quota being proposed?" Simpson said that the Refugee Act of 1980 already provided for additional admissions of refugees in the case of "unforeseen emergency refugee situations." He asked Shultz whether the administration would use the reserve quota

U.S. REFUGEE ADMISSIONS CEILINGS AND ACTUAL ARRIVALS FY 75-86

	FY 75	FY 76	FY 77	FY 78 *	FY 79	FY 80	FY 81	FY 82	FY 33 a/	FY 84 b/	FY 85 b/	FY 86 c/	TOTAL
AFRICA						955	2,119	3,326	2,648	2,747	1,953	921	14,669
(CEILINGS)						1,500	3,000	3,500	3,000	2,750	3,000	3,000	
ASIA	135,000	15,000	7,000	20,574	76,521	163,299	131,139	73,522	39,408	51,960	49,970	39,655	803,548
						169,200	168,000	96,000	64,000	52,000	50,000	45,500	
EASTERN EUROPE	1,947	1,756	1,755	2,245	3,393	5,025	6,704	10,780	12,083	10,285	9,350	7,518	72,841
						5,000	4,500	11,000					
SOVIET UNION	6,211	7,450	8,191	10,688	24,449	28,444	13,444	2,756	1,409	715	640	704	105,101
						33,000	33,000	20,000	15,000	11,000	10,000	9,500	
LATIN AMERICA	3,000	3,000	3,000	3,000	7,000	6,662	2,017	602	668	160	138	51	29,298
						20,500	4,000	3,000	2,000	1,000	1,000	3,000	
NEAR EAST AND SOUTH ASIA						2,231	3,829	6,369	5,465	5,246	5,994	5,699	34,833
						2,500	4,500	6,500	6,000	5,250	6,000	6,000	
TOTAL	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	54,548	1,060,290
						231,700	217,000	140,000	90,000	72,000	70,000	67,000	

a/ From FY 83 on, the Eastern Europe ceiling was combined with the ceiling for the Soviet Union.
b/ This chart shows the adjusted regional ceilings that were established at mid-year consultations in FY 84 and FY 85. The overall annual ceilings did not change.
c/ Arrival figures for FY 86 are as of August 31, 1986.

NOTE: Figures in shaded areas represent annual ceilings.

Source: Bureau for Refugee Programs/U.S. Department of State.

without consulting Congress.

Shultz replied, "We think with the turmoil around the world, that it is predictable that there are going to be unpredictable things taking place. Rather than allocate out the whole 70,000, we thought it might be proper to make the allocations area by area, as carefully as we could, and then say right up front, frankly, that we think that we're going to have to juggle around a little bit."

Shultz said that the costs associated with using the reserve would be covered within the existing budget, and that Congress would be informed if the reserve was to be used. The testimonies of both Alan Nelson, commissioner of the Immigration and Naturalization Service (INS), and Bill Gee, acting director of the Office of Refugee Resettlement (ORR), also indicated that their agencies could accommodate the full admissions ceiling of 70,000 without the need for additional funding.

Administration to Explore Private Sector Admissions Program Shultz testified that "given the difficult fiscal situation we are facing, we will be undertaking a study to explore the possibility of a private sector funded admissions program." A State Department official said that the idea was new, and that Ambassador Moore had agreed to form an interagency group to study the possibilities. Sources report that the matching grants program, which ORR has proposed phasing out, and the Canadian private sponsorship program, may be examined as possible models.

The matching grants program, which cost $3.8 million to operate in FY 86, gives matching federal assistance up to $1,000 per refugee to voluntary agencies for providing comprehensive resettlement services.

According to a report published by the Canadian Employment and Immigration Commission, under Canada's private refugee sponsorship program, voluntary agencies and community groups formally agree to provide many of the resettlement and adjustment services that are usually supported by the government.

"We're very interested in discussing any ideas" on private sector sponsorship, Karl Zukerman, chairman of InterAction's migration and refugee affairs committee, told Refugee Reports. He expressed concern that the Canadian system "is not transferable entirely." For example, he said, "the Canadians have a system of national health insurance, and we don't."

Under the Canadian private sector sponsorship program, health care costs are covered by the government.

Administration Sees Expanded Processing in Latin America Despite the fact that annual refugee admissions from the Latin American and Caribbean region have averaged fewer than 150 people during the last three years, the Reagan administration would raise the regional ceiling from 3,000 to 4,000 for FY 87, in order to admit up to 3,000 Cubans and 1,000 refugees from other countries in the region.

Shultz testified that the new number would be sufficient "to admit 3,000 Cubans as refugees in fiscal year 1987 should the government of Cuba lift its suspension of the Mariel Migration Agreement." He also said the administration would "expand the current refugee processing priorities used for the region," in order to consider refugees from other countries in Latin America "for whom temporary asylum or settlement in the region are not available."

At the House consultation on September 24, both Rep. Barney Frank (D-Mass.) and Rep. Henry Hyde (R-Ill.) criticized the administration's decision to hold up virtually all refugee processing of Cubans until Fidel Castro lifts the suspension of the 1984 Migration Agreement with the United States.

Under that agreement, the United States would accept up to 3,000 political prisoners and their families, if Cuba would agree to take back some 2,746 Cubans who arrived in Florida during the Mariel boatlift of 1980. This group, out of approximately 125,000 arrivals, has been excluded for permanent entry to the United States because of evidence of serious criminal behavior or severe mental illness (see Recent Developments).

"We are punishing the innocent victims of the Castro government because he is refusing to take back the Marielitos," Frank said.

Moore replied that "the suspension of the Mariel agreement is the major problem" delaying processing for many Cuban refugees, but he reiterated the administration's commitment to continue processing of "long-term prisoners" in Havana. The State Department has indicated that, at present, only political prisoners who have been jailed for more than ten years, and their families, are eligible for processing. A group of more than 100 arrived from Cuba the day before the Senate hearing.

A consultations report from the office of the U.S. Coordinator for Refugee Affairs states that "a certain number of non-Cuban refugees in Latin America will receive more generous consideration for refugee admissions through technical revisions to current refugee processing guidance."

For the moment, government sources are unwilling to discuss what nationalities these non-Cuban refugees might include, or what technical revisions are being planned for processing priorities.

In an October 1 letter to the President, Sen. Joseph Biden, Jr. (D-Del.) and Kennedy, the ranking minority members of the Judiciary Committee and the Subcommittee on Immigration and Refugee Policy, wrote, "We want to voice our strong support for the new initiative to deal with refugees from Central America. However, the 1,000 numbers set aside for these non-Cuban refugees will only be useful if there is close cooperation between the Department of State and the appropriate offices of the UNHCR in the field and the concerned voluntary agencies."

In the last two years, only three non-Cubans have been processed as refugees from the Latin American and Caribbean region.

Processing To Be "More Accessible" for African Refugees According to the coordinator's report, there will be an effort to make U.S. refugee processing "more accessible to African refugees who are not located near processing posts in Africa, or who have been stranded in Europe for several years."

State Department figures indicate that, as of August 31, African refugee arrivals in the United States totalled 921 for FY 86. Of these, 365 were processed in Europe, and 556 were processed in Africa. Of the total, 889 were Ethiopians. The regional admissions ceiling for Africa in FY 86 was 3,000.

An official with the State Department told Refugee Reports that problems in the Sudan were a major reason for the shortfall in African admissions in FY 86. Shortly after an initial INS visit in October 1985, the official reported, the government of Sudan imposed a moratorium on all refugee departures. When the moratorium was lifted in March 1986, the Sudanese government then asked to interview refugees before granting exit permissions, a step that imposed further delays in departures.

INS has not returned to the Sudan since the lifting of the moratorium, due to security precautions imposed after the shooting of a U.S. embassy communications worker in April.

Asked what would be done in the coming fiscal year to make processing more available for African refugees, the State Department official said that further discussions were needed with the INS before any decisions could be made.

The State Department currently estimates that there are about 2.7 million refugees in Africa who have been displaced by persecution, armed conflict, civil unrest, and natural disaster. Ethiopia continues to be the major refugee-producing country in Africa. There are about 650,000 Ethiopians in Sudan and an additional 400,000 to 500,000 in Somalia.

Refugee Admissions Continue to Rise for Near East and South Asia Region Over the past six years, the number of refugees admitted to the United States from countries in the Near East and South Asia has risen steadily, from 2,200 in FY 80 to almost 6,000 in FY 86. That number is expected to increase to 8,000, under the new regional ceiling set for FY 87.

The predominant refugee groups from this region have been Iranian religious minorities--particularly Baha'is, Jews, and Christians--and Afghans. Approximately 250 Kurds from Iraq have also been admitted in each of the last several years.

Afghans comprise the largest single refugee group in the world, according to UNHCR figures, with an estimated 4 to 5 million Afghan refugees in Pakistan and Iran alone.

"We are pleased that the regional numbers have increased," Nasir Shansab of Unity for Freedom of Afghanistan told Refugee Reports, "but we had recommended 10,000." Shansab said that a larger figure was needed to convey to the rest of the world that the United States was concerned, and to convince other countries to share the burden of resettlement. Besides, Shansab said, "whenever you have a lack of available numbers, people get desperate."

Four Afghans who may have gotten desperate are now in a Boston prison, after having been detained at New York's Kennedy Airport almost a year ago for travelling without valid documentation. At the House refugee hearing, Congressman Frank asked the INS, "What's going to happen to these people? They are locked up in excessively confined conditions. How long will you keep them there?"

Thomas Ferguson, deputy commissioner for the INS, replied, "We will not keep them there forever, but they entered illegally and we are bound by statute to detain them." He added, "We hope this will be a deterrent" to others who see this as a way of circumventing immigration and refugee processing overseas.

Ferguson said that the four are free to leave the United States and return to India or Pakistan, the countries in which they had initially sought asylum after leaving Afghanistan.

Marjorie Heins, an attorney with the Civil Liberties Union of Massachusetts, told Refugee Reports that asylum petitions by the Afghans have been rejected, but that appeals are already in progress. She said "there is no reason to incarcerate them while these cases are being resolved."

"I can't think of a better example of purposeless detention," Arthur Helton of the Lawyer's Committee for Human Rights told Refugee Reports. He said that Pakistan and India would not take back the Afghans, they cannot be deported to Afghanistan, and "the deterrence message never reaches anybody." (see Updates)

The INS began processing Baha'is and other Iranian religious minorities in Pakistan in early 1986. Previously, Baha'is who fled Iran had to make their way to New Delhi or to INS posts in Europe for processing. Firuz Kazemzadeh, vice chairman of the Baha'i National Spiritual Assembly in the United States, described the new situation as "most helpful." He estimated that 1,500 Baha'is remained in Pakistan as of July.

Soviets Continue to Restrict Jewish Emigration The State Department has indicated that, under the new regional ceiling for the Soviet Union and Eastern Europe, refugees from the Soviet Union will be principally Armenians, Jews, former Soviet officials, and dissidents. Refugees from Poland, Czechoslovakia, and Romania will be the principal groups considered for resettlement from Eastern Europe.

The emigration of Jews from the Soviet Union totalled 1,140 people in FY 85, of whom 640 came to the United States. Most of the others resettled in Israel. Only six years ago, more than 20,000 Jews were allowed to leave the Soviet Union.

Gary Rubin, director of programs for the American Jewish Committee, warned that anti-Semitism is on the rise in the Soviet Union as migration becomes more and more restricted. "The Soviet Union has gotten tremendous PR value from the release of a few individuals," he told Refugee Reports, "but we shouldn't forget that Jewish migration has dropped since Gorbachev took power. We are concerned not only for them but for the others...Armenians...Poles...in the Soviet system."

Recent Developments

CONGRESSIONAL ATTENTION TURNS TO CUBAN POLITICAL PRISONERS, ADMISSION TO THE UNITED STATES

The day before the September 16 Senate Judiciary Committee consultations with the administration on refugee admissions for FY 87, a group of 67 former long-term political prisoners from Cuba arrived in the United States. Many of the refugees had been incarcerated for more than 20 years. About 40 family members were reported to have accompanied the released prisoners on their flight to Miami.

The latest arrivals came in the midst of on-again, off-again negotiations with Cuba to resume the immigration accord that was suspended in May 1985 (see Refugee Reports, Vol. VII, No. 9) and amidst charges in Congress that prospects for expeditious processing of additional political prisoners from Cuba were being hindered by differences between the State Department and the Immigration and Naturalization Service (INS).

On September 24, hearings on Cuban political prisoners were held before the House Subcommittee on Human Rights and International Organizations. Former prisoner Armando Valladares testified about torture and deprivation in Castro's prisons (see Resources). He voiced a plea on behalf of those remaining behind, in particular for the 110 to 120 "plantados" who have refused "political rehabilitation." Many of the plantados have been imprisoned in excess of 20 years. They have experienced severe conditions of torture and ill-treatment, including forced labor, solitary confinement, and denial of food, water, and medical care.

Valladares said that an additional 2,000 prisoners or former prisoners also were seeking refuge in the United States. Those who have been released, he said, continue to be discriminated against. Their identification cards brand them as counter-revolutionaries. They are denied work and ration cards. Many, he said, have relatives in the United States, but have been unable to obtain visas.

Members of Congress, both in the hearings on Cuba as well as in the FY 87 consultations (see lead story), have criticized the administration for slow processing of Cuban political prisoners and for linking their admission to the United States to the resumption of the immigration accord that Castro suspended in May 1985. Under the terms of the accord, the United States would accept up to 3,000 political prisoners and their families and Cuba would agree to take back 2,746 "excludable" Cubans from the Mariel boatlift of 1980 who were found to have serious mental or criminal problems.

Valladares said that the issue of returning excludable Cubans from the Mariel boatlift should be separated from the question of processing former political prisoners as refugees. He said, "You are not punishing Castro. You are punishing the prisoners."

His comments have been echoed by several members of Congress. At the September 24 House Judiciary Committee consultations for FY 87 refugee admissions, Rep. Barney Frank (D-Mass.) called the policy "perverse." Rep. Henry Hyde (R-Ill.) added, "Linkage with the Marielitos should not be made."

State Department Supports Quick Processing of Former Long-Term Political Prisoners

Elliot Abrams, assistant secretary of state for inter-American affairs, testified before the September 15 hearing that "We have always told Cuba that we are ready to take long-term political prisoners." While saying that "bureaucratic delays" on the U.S. side were "inexcusable," Abrams went on to say, "The real goal, the real answer, is to restore the immigration accord."

Several members of Congress expressed concern that the United States was not initiating refugee processing for other former political prisoners held for fewer years. "Shouldn't prisoners held for five years...

be considered 'long-term'?" asked Rep. Christopher H. Smith (R-N.J.).

Chairman Charges Subcommittee "Left in the Dark" Rep. Gus Yatron, chairman of the subcommittee, was critical of the INS for delays in the processing of Cuban refugees. He also criticized the INS for its failure to inform the subcommittee about the status of former and current political prisoners.

Yatron said, "The absence of cooperation with the Justice Department and the INS represents a total disregard of legitimate congressional concern on these human rights issues." He added, "Further, it suggests that there is a difference of opinion within the bureaucracy with respect to U.S. policy toward Cuban political prisoners."

An INS spokesman told Refugee Reports that the Immigration Service did not send a representative to the hearing because the letter of invitation from the subcommittee violated the 14-day rule of notification for a hearing.

IMMIGRATION REFORM BILL MAY STILL REACH HOUSE FLOOR

The immigration reform bill, which was thought to be dead, may yet be voted on in the House this session.

At meetings the afternoon of October 7 and the morning of October 8, members of the House Judiciary Committee and Senator Alan K. Simpson (R-Wyo.) resolved major disagreements between Senate and House provisions regarding agricultural workers and undocumented aliens, according to Jerry Tinker, minority counsel of the Senate Subcommittee on Immigration and Refugee Policy.

The question of whether to provide extended voluntary departure to Salvadorans and Nicaraguans remained unresolved and, in fact, "hasn't been addressed," Tinker said.

In a controversial move in September, the House Rules Committee had added two bills providing temporary safe haven to Nicaraguans and Salvadorans to the immigration reform bill. The Rules Committee barred debate on the controversial amendments; the full House rejected the rule on September 26.

Another effort, by Rep. Trent Lott (R. Miss.), minority whip, to revive the immigration reform bill by attaching it to a Justice Department authorization bill failed by a 235-177 vote on October 1.

A new rule governing debate on the immigration reform bill could be issued by October 8, according to Michael Myers, Washington representative of Church World Service. This would make a vote on the bill possible by October 9, he said. Should it pass the full House, it would come before a Senate/House conference committee and, if approved, move to the Senate for a vote.

THAI OFFICIALS SAY KHAO I DANG WILL NOT CLOSE AT END OF 1986

Senior Thai officials have told the U.S. Ambassador to Thailand, William Brown, that the facilities at Khao I Dang holding camp for Cambodian refugees will remain open beyond the end of the year, according to a recent statement made by Rep. Hamilton Fish, Jr. (R-N.Y.) at a House Judiciary Committee hearing on U.S. refugee admissions for FY 87.

Fish said he had been given this information in a meeting with Brown several days before the hearing. Previous statements by Thai officials, including Foreign Minister Siddhi Savetsila, had suggested that the camp would be closed by the end of December 1986, and that the remaining inhabitants would be moved to camps along the Thai-Cambodian border.

At the hearing, Fish asked Ambassador Jonathan Moore, the new U.S. Coordinator for Refugee Affairs, "whether we are actively supporting such a policy with the Thais." Moore replied that the United States has urged the Thais to consider two points in the closing of Khao I Dang. The first, he said, is that resettlement countries should be allowed to complete processing before the camp closes or otherwise changes status. The second point, said Moore, is that camp residents "should continue to be afforded the protection that is available to them in Khao I Dang."

The United Nations High Commissioner for Refugees (UNHCR) is responsible for protection of the estimated 25,000 residents in Khao I Dang, but has no corresponding responsibility for the 245,000 Cambodians on the border. Some observers have said that, if and when Khao I Dang is closed, the UNHCR protection mandate should be shifted to cover the Cambodian border camp residents.

Fish also asked Moore whether he saw any need to review the files of approximately 14,500 Cambodians in Khao I Dang who have been rejected for admission to the United States by the Immigration and Naturalization Service (INS). Most of this group was rejected on the basis of suspected Khmer Rouge affiliation, using an INS screening system that Fish termed "questionable."

Moore said that he was still considering what to do on this issue, though he noted that "INS and the State Department have indicated skepticism and resistance to further review on the grounds that this question should not go on indefinitely."

Sen. Alan K. Simpson (R-Wyo.) seemed to sum up the official frustrations concerning the caseload of rejected Cambodians in Khao I Dang when he said at a Senate hearing on refugee admissions for FY 87, "we have reviewed and reviewed this group, and we'll review them again if we have to."

OAKDALE DETENTION FACILITY IN FULL SWING

Since its opening last April, the Immigration and Naturalization Service (INS) detention facility in Oakdale, Louisiana, has been active in the processing of aliens in deportation proceedings. As of September 30, 4,165 persons had been processed into the Oakdale detention center, according to Ray Rowe, the facility's associate warden for programs. During the same period, 3,341 had been processed out, he said.

"The average per week is 175," Rowe said, "and the average out is 140." Those "processed out" have "either been deported to their home countries, or bonded out subject to a rehearing at a future time," Rowe said. INS officials at the facility do not keep figures on deportations and bondings, according to a spokesman for Rowe's office.

Oakdale, which can house nearly 950 persons, according to Rowe, is almost full. Only between 80-100 beds are empty, and another unit under construction now for opening in March will have 328 beds, he said.

The female population numbers between 65-70, he said, although as of October 2 there were 105 women.

Rowe said the facility's total population is relatively stable now. "There is an INS airlift every week. It originates in El Centro, stops in El Paso, and then comes here."

Most of the arrivals are from El Salvador, Uruguay and Guatemala, Rowe said. There are also a few Nicaraguans, Jamaicans, and Haitians.

At Oakdale, all legal processes take place inside the facility, according to Rowe. "INS represents the government at deportation hearings and arranges transportation for detainees," he said. There are two immigration judges in the facility and a third one is expected this October. He said INS may have as many as four immigration judges at the site eventually.

Oakdale is administered by the Bureau of Prisons. Scott Higgins, chief of facilties development for the Bureau said Oakdale is considered a "medium security" facility. It has "secure perimeters," including fencing, electronic sensing, and patrol cars, Higgins said.

MASSACHUSETTS FUNDS CENTRAL AMERICAN POLITICAL ASYLUM PROJECTS

Massachusetts has allocated $250,000 to five agencies in the Boston area that provide legal assistance to Central Americans seeking asylum, according to state officials, who say that as many as 320 persons will receive "full representation" because of the funding.

The $250,000 was made part of the Massachusetts Legal Assistance Corporation's (MLAC) annual budget through legislation sponsored by State Senator Jack Backman.

MLAC's description of the project referred to policies of the U.S. government which "deny equal access to justice to persons seeking asylum as a relief from expulsion." It said that government policies and decisions based on "status" or "country of origin, rather than the probability of harm facing an individual forced to return home," caused the legislature to appropriate funds for the "immigration asylum project."

The five funded agencies, all in the Boston area, are the International Institute of Boston, Greater Boston Legal Services, Cambridge and Somerville Legal Services, the Cambridgeport Problem Center, and Centro Presente.

Agencies Welcome Funding The International Institute of Boston, which received $47,500 from the project, expects to provide "direct legal services" to between 40 and 50 persons according to Mariel Heiberger, director of programs.

Centro Presente, a community center which has been involved in more than 600 Central American asylum cases since 1981, received the single largest award of $94,000.

For Centro Presente, state funding is crucial. Frank Sharry, center co-director said, "We're thrilled because our legal service program is stretched beyond capacity with the caseload growing 50 percent a year."

Cases are reviewed for legal merit, ability to pay, and other factors at weekly staff meetings. Only ten percent of the cases are taken on, said Sister Rose Marie Cummins, also an agency co-director.

Sharry said the agency handles cases of Central Americans who apply for asylum prior to being arrested, called "affirmative" claims, as well as those who wish to use asylum as a defense to deportation. "We are involved with 185 cases currently," he added.

Of the ten affirmative asylum claims Centro Presente has assisted, all have been approved, Sharry said. But, of the other Central American cases, "no one is ever given asylum as a defense to deportation," he said.

SUPREME COURT CONSIDERS STANDARDS FOR JUDGES TO USE TO DETERMINE GROUNDS FOR ASYLUM

The U.S. Supreme Court heard oral arguments October 7 on a case that will determine whether the burden of proving asylum (a "well-founded fear" of persecution) is equivalent to the burden of proof for withholding deportation (a "clear probability" of persecution).

Arguing for the Immigration and Naturalization Service (INS), Lawrence Wallace, deputy solicitor general, said that the Board of Immigration Appeals holds that the standards for asylum and withholding of deportation are not meaningfully different and, in practical application, converge. This means that immigration judges use the clear probability standard for determining whether to grant asylum.

Wallace argued that the courts should defer the question to the Attorney General, who maintains a "highly structured exercise of discretion" in evaluating some 10,000 asylum claims per year.

Arguing on behalf of Nicaraguan asylum seeker Luz Marina Cardoza-Fonseca, attorney Dana Marks Keener maintained that the Attorney General does not have the discretion to apply the less generous "clear probability" standard to asylum cases. Keener told the Court that it was the "clear intent" of Congress in passing the Refugee Act of 1980 to make the law governing U.S. asylum consistent with the United Nations definition of a refugee.

Justices Ask Whether Attorney General Has Discretion to Decide the Issue Both Chief Justice William H. Rehnquist and Associate Justice Antonin Scalia raised questions about the extent of the Attorney General's discretion to grant asylum. Scalia asked whether, even if the Court held that the standard of asylum is less rigid than the standard for deportation, the Attorney General could still issue regulations which, as a matter of discretion, would only grant asylum to those demonstrating a clear probability of persecution. Wallace said that he would understand such an action to be within the Attorney General's discretion.

Rehnquist asked Keener, "Is the agency entitled to no deference?" Keener replied that as a matter of statutory construction the issue of "pure law" should be decided by the Court. Both Scalia and Rehnquist, however, cited precedents for courts deferring to "the expertise of agencies" when interpreting statutes.

Scalia asked for clarification of the "well-founded fear" standard. He asked Keener whether a one-in-a-thousand chance of being persecuted would be enough to establish a well-founded fear. Keener said that the courts have been able to apply this standard without difficulty since 1948, and referred to the UNHCR Handbook for constructing the standard on a case-by-case basis. She said that a well-founded fear of persecution involves "a lesser degree of certainty than clear probability."

Update

° The House of Representatives passed a bill on September 29 clarifying congressional intent that the Attorney General should release on parole aliens in deportation and exclusion proceedings. H.R. 4823, section 311, amends the Immigration and Nationality Act by clarifying that the Attorney General "shall provide for the release, under bond or on parole" of aliens in deportation and exclusion proceedings, unless he has reason to believe that release of the alien would pose a danger to the community, that the alien would reasonably be likely to abscond, or for several other reasons such as having committed a particularly serious crime, or having been involved in the persecution of others.

The practice of the Immigration and Naturalization Service since 1981 has been to detain all aliens arriving without proper travel documents and to allow parole only for "emergent reasons" such as serious medical conditions or when their release would be deemed by the Attorney General to be in the "public interest."

H.R. 4823 was one of several "efficiency bills" amending the Immigration and Nationality Act passed by the House on September 29 (see Refugee Reports, Vol. VII, No. 8). Senate sources said that no action on the bills is contemplated at this time.

° The Office of Refugee Resettlement (ORR) has received 11 preapplications this fiscal year for Fish/Wilson demonstration projects for alternative approaches to refugee resettlement which would reduce refugee dependence on public assistance. Of those applying, only Massachusetts has been approved to submit a full application; eight have been disapproved (seven of which were from the private sector; one from a county); and two more are still being considered (one a state proposal, the other from the private sector).

The two demonstration projects which have been in operation for the past year--state projects for California and Oregon--have also reached the application stage for consideration for the next fiscal year. Bill Gee, ORR acting director, said during the Senate consultation on September 16 that preliminary reports show that the projects "are progressing as planned."

° Starting on October 1, foreigners will only be allowed to pass through East Germany if they have a visa to go elsewhere, according to East Germany's foreign ministry. The announcement came as a response to West German complaints that they were being flooded by third world asylum seekers entering through Berlin (see Refugee Reports, Vol. VII, No. 9). The West German interior ministry has reported that more than 72,000 asylum seekers have entered West Germany this year, an increase of 40 percent over 1985. The influx has resulted from West Germany's refusal to recognize the Berlin Wall as an international boundary. West Germany has never required passports for those entering from East Berlin.

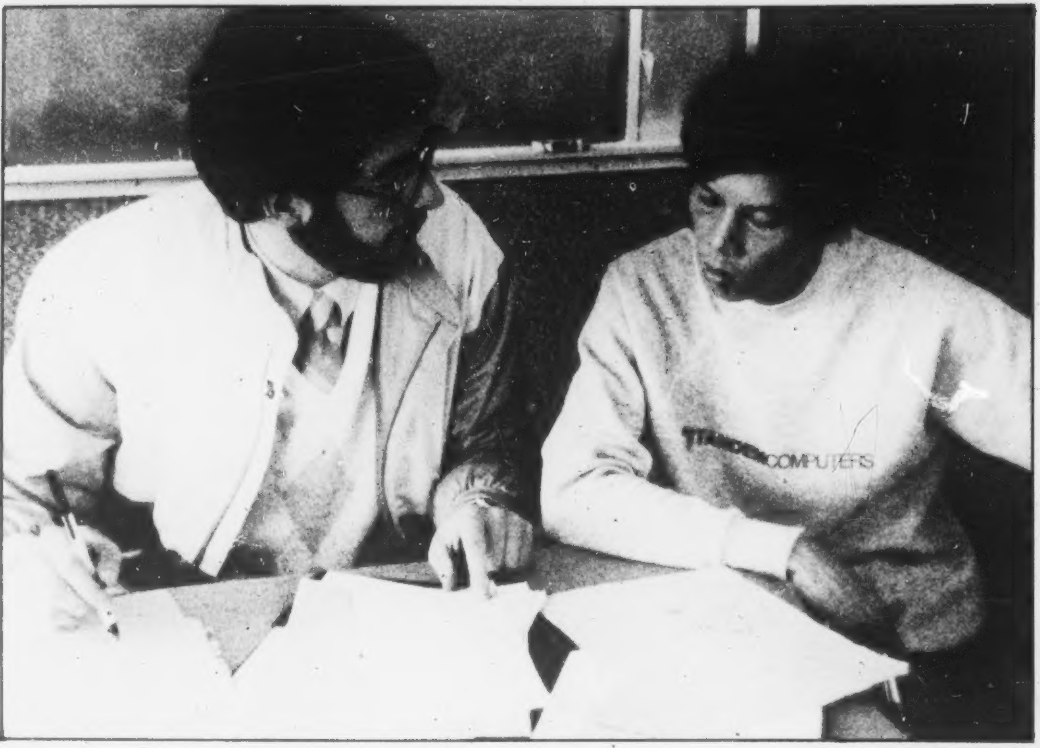
° Reauthorization of the Refugee Act is still pending in the Senate, and has yet to appear on the Senate calendar. Funding is expected to remain at last year's levels, minus a 4.3 percent cut mandated by provisions of the Graham-Rudman-Hollings Act, a congressional source said. A spokesman for the Senate Appropriations Committee said that all appropriations may be subject to an across-the-board cut in the remaining days before Congress adjourns.

Congress will probably adjourn around October 13, and a lame duck session appears doubtful, sources said. Work on the budget deficit and the continuing resolution (CR) remain. The CR, with more than 180 amendments, includes appropriations for all government agencies.

Projects and Programs

BILINGUAL PROGRAM TRAINS VIETNAMESE ENTREPRENEURS

Tran Ngoc Hai's dream is, one day, to run a small tailor shop together with his wife and sister, both accomplished seamstresses from Vietnam. Today, however, one-and-a-half years after his arrival in the United States, Hai struggles to improve his English



Georgetown MBA student counsels refugee on developing a business plan

Hong-Phong/ Photon Photography

and to work at an entry-level position to support his family.

Hai had been a computer programmer for the U.S. army in 1971 and 1972 until drafted into the South Vietnamese army where he served until 1975. He spent six years in "re-education" camps; after nine failed attempts to escape the country, he became a fisherman and managed a boat escape. Now, he sees a chance to realize his dream through the Vietnamese Entrepreneur Training Program, a joint effort of the Center for Immigration Policy and Refugee Assistance (CIPRA) and Georgetown University.

For 15 weeks, Hai spent every Saturday learning the fundamentals of American business management. With the aid of a volunteer tutor from Georgetown's Master's in Business Administration (MBA) program, Hai developed his own "business plan," a strategy for getting his business off the ground. He also spent 35 classroom hours learning accounting and financing. "I knew the French accounting system," he said, "but I had to relearn the American system." He also devoted hours to learning the intricacies of American taxation for small businesses.

Hai said that when successful Vietnamese entrepreneurs, such as an owner of a dry cleaner and a franchise manager, shared their experiences, it gave him self-confidence.

Although opening his own business is not on the immediate horizon, Hai said the program helped him "to learn how to start a business from the bottom."

Small Businesses Culturally Appropriate

The Vietnamese Entrepreneur Training Program is now in its third year. Originally funded by CIPRA/GU and the Howard University Small Business Development Center with funds from the Small Business Administration (SBA), the program now is funded by the Fairfax County Department of Manpower Services. A total of 85 students have graduated from the program, and 25 students have already registered for the fall session.

"Small businesses are culturally appropriate for the Vietnamese community," said Pho Ba Long, director of the program. "Families can stay and work together." These programs will help Vietnamese newcomers to help themselves, so they will not have to rely on employment services, he said.

MBAs Share Time, Expertise The program is not only a self-help initiative involving bilingual instruction and help from the more experienced members of the Vietnamese community for the less experienced. It also has drawn on the expertise of MBA students at Georgetown who volunteer their time for 15 consecutive weeks to counsel the Vietnamese students. In the first session, 2 MBA students volunteered; the most recent session drew upon 17 students--15 percent of the Georgetown MBA student body.

The student who spearheaded the volunteer effort, David Muskat, a former Peace Corps volunteer who just graduated from the MBA program, said, "Many of the Vietnamese trainees have never had a conversation with a mainstream American." Contact with the MBAs is an important step for the refugees toward leaving the insularity of the Vietnamese community and entering the mainstream, he said.

Muskat said that the MBAs, in turn, gain new cultural understanding from their contact with the Vietnamese, as well as practical applications of their academic knowledge. The MBA students become more than tutors, according to Muskat. They go to the homes of the Vietnamese trainees, share their celebrations, and become their friends.

PROGRAMS PROVIDE SMALL BUSINESS TRAINING FOR REFUGEES

Several programs in various parts of the United States provide small business management training for refugees. The programs vary according to their locations and the national origins of the refugee students.

In St. Paul, Minnesota, the support of the Small Business Administration (SBA) was enlisted to develop a bilingual training program for Vietnamese entrepreneurs. The program has been modeled closely on the CIPRA/Georgetown Vietnamese Entrepreneur Training Program (see previous story).

The St. Paul program is cosponsored by the Asian Business and Community News, a publication promoting Asian business development in Minnesota, the Minnesota Small Business Development Centers, and SBA. Classes are held at St. Thomas College, which helps to finance the program and issues a certificate to those who complete the training.

The demand for registration into the program indicates that it has been very popular with the Vietnamese community. After the maximum enrollment of 50 was reached for the first eight-week session last fall, another 50 quickly enrolled for the recently completed spring session. "There was not a single absentee for all eight sessions," said George Saumweber, an SBA loan officer involved in the first session.

"I was very surprised at the level of sophistication of the attendees," said Saumweber. "Some of these people were highly educated, with backgrounds in computers and engineering."

Training Uses Bilingual Approach Nghi Huynh, president of Asian Business and Community News, said that the bilingual approach helps to introduce U.S. business concepts to the Vietnamese students. The basic SBA material is translated into Vietnamese, but key terms, such as "marketing" and "accounts receivable" are introduced in English.

Both training sessions have been limited to Vietnamese students because of the bilingual nature of the program.

"I took a half-dozen calls from other refugees upset that this program was only open to Vietnamese," said Saumweber. "We are willing to try to do this for other refugee groups, such as the Hmong, but we need qualified instructors and bilingual materials."

On June 21, a day-long workshop was held for all Asian nationalities. "We covered the same topics, but more briefly," said Gene Graves, SBA assistant director for business development. A unique feature of the workshop was the involvement of members of the Minnesota Service Corps of Retired Executives (SCORE), who volunteered their time and expertise. A similar business development workshop is now being planned for Rochester, Minnesota.

Hmong Also Receive Technical Assistance A different approach was taken for economic development of the Hmong community in the Fresno/Merced region of California.

The need, as expressed by the Hmong community, was for agricultural business assistance rather than the development of businesses in an urban environment. A grant, arising from a cooperative agreement between SBA and the Office of Refugee

Resettlement (ORR), and administered through LTG Associates, a consulting group that specializes in consultation to ethnic and minority nonprofit organizations, provided agricultural consultants to assist the Hmong in the development of an agricultural cooperative.

Technical assistance was provided on transportation and marketing. Training included cultural orientation about the working of traditional U.S. agricultural business practices, such as ordering on consignment.

"Shippers had been ripping off the Hmong," said Neal Toshima, a partner in LTG Associates. "The cooperative gives the Hmong more control and makes people deal with them more honestly."

Rhode Island Tries Multi-Ethnic Assistance

Yet another approach was taken under the ORR-SBA cooperative agreement with the Rhode Island Small Business Administration. Between May 1985 and April 1986 a series of one-time workshops was conducted on specific topics such as marketing, real estate, taxes, and advertising. The sessions were conducted in English and drew 188 participants from the Hmong, Lao, Cambodian, and Vietnamese communities.

One-on-one technical advice was then provided by native-language counselors. "The program was very successful in providing technical advice to help start 14 Lao, 11 Cambodian, 5 Hmong, and 1 Vietnamese businesses," said Phongsavan Thongsavanh, a counselor for the program.

RETIRED BUSINESS EXECUTIVES COUNSEL SMALL BUSINESS ENTREPRENEURS

Refugees who are interested in starting a business or who need advice to keep an existing business afloat can receive free consultations from retired business executives.

The retired businessmen are part of a nonprofit organization called SCORE, the Service Corps of Retired Executives. Its 12,000 members in about 400 locations in the United States have provided free one-on-one business counseling to some 165,000 clients since its beginnings in 1964.

The service, open to anyone, tries to match clients with retirees experienced in a similar line of business. "If you have a shoe store, we'll find someone who was 'in shoes,' if a restaurant, we'll look for a former restaurant owner," said William Cohen, a retired hospital administrator with additional experience in sales, marketing and insurance, who serves as a SCORE volunteer in Boston.

Another SCORE volunteer, Ben Goldberg, recently addressed the Metropolitan D.C. Coalition for Refugee Resettlement. He shared his impression of refugee entrepreneurs as "understanding the heart of business" to be willing to "work all hours" and to take risks to get ahead. He added, however, that one out of every two new businesses fails within the first two to four years. The failures, he said, were due not only to financing, but to management practices as well. SCORE, he said, could help to sort out the management tangle for small businesses.

In many areas, SCORE sponsors pre-business workshops to help would-be business entrepreneurs to develop solid business plans.

Although SCORE has not geared its program specifically to refugees, its members are open to the challenge. "We are glad to talk to anybody," said Cohen, "and try to be flexible."

In El Paso, Texas, SCORE has been active with Mexican immigrants in particular. "We have quite a number of 'green card' holders with great talent, but little money," said Alfred Ratner, SCORE chairman in El Paso. "They are much like the early East European immigrant groups with strong family ties who pooled their resources to get a start in this country."

The El Paso SCORE chapter has published a bilingual English-Spanish booklet called Basic Steps to Starting a New Business. The booklet gives pointers about where to go for loans and licenses, includes tax information, and provides the names and numbers of people in the El Paso area who can help the new business get off the ground.

The El Paso chapter is unusual in that nearly half of its counselors are bilingual. Paul Eiseman, national SCORE executive director, said that most SCORE members do not have foreign language ability since "most people entering business 30 to 40 years ago were one-language people." The same is true of women and minority business executives. "Most are still active in business, not retired; though the exceptions are the ones we are seriously looking for."

Local SCORE chapters are generally listed in the phone book. SCORE chapters can also be located through the Small Business Administration's toll-free number, (800) 368-3237, or directly from the SCORE headquarters (202) 653-6279.

Reader Exchange

° The Indochina Studies Program, sponsored by the Social Science Research Council and the American Council of Learned Societies, has announced a fellowship competition for research on Cambodia, Laos, and Vietnam, drawing on the knowledge and experience of the refugees who have left those countries since 1975.

The competition is open to refugees from Vietnam, Laos, and Cambodia, as well as U.S.-based writers, journalists, artists, and scholars. Projects must include the participation of refugees as informants and may be based on life histories, personal memoirs, focused interviews, studies of particular groups, the recording and analysis of oral or ritual performance, and other artistic traditions. Of particular interest to the committee are projects dealing with religion, minorities, linguistics, rural society, art, music, and popular culture in Vietnam, Laos, and Cambodia.

The maximum award will be $25,000 for any one project. The final application deadline is December 1.

For further information, contact the Indochina Studies Program, Social Science Research Council, 605 Third Ave., New York, NY 10158. (212) 661-0280.

Meetings and Conferences

° The 1986 National Unaccompanied Minors Conference, "The Challenge to Change: The Next Decade," will be held November 16 through 19 at the Philadelphia Center Hotel. Highlights of the conference include the resentation of practitioner-oriented papers by staff of local foster care agencies; a report on the phasedown of the unaccompanied minors refugee program; an Office of Refugee Resettlement (ORR) session on monitoring strategies; and addresses by national and international figures.

The cost of registration is $90. For more information, contact Helen Novak, Lutheran Immigration and Refugee Service, 360 Park Ave., New York, NY 10010 (212) 532-6350 or Nancy Schulz, Migration and Refugee Services, U.S. Catholic Conference, 902 Broadway, New York, NY 10010 (212) 614-1250.

Resources

MINNESOTA MONTHLY COVERS ASIAN BUSINESS AND COMMUNITY DEVELOPMENT

The economic progress of Minnesota's Asian community, including its refugee component, is chronicled monthly in Asian Business and Community News.

Operated as a nonprofit organization (see Projects and Programs), ABCNews covers social and cultural aspects of Minnesota's Southeast Asian refugee communities, as well as Asian-American business development.

ABCNews is distributed free of charge in the Twin Cities area of Minnesota. To subscribe, send $12 to ABCNews, 396 Roy St., St. Paul, MN 55104. (612) 645-9102.

IF YOU MEAN BUSINESS

A business development manual for Southeast Asian refugees interested in starting or expanding small businesses has been published by the Center for Southeast Asian Refugee Resettlement (CSEARR) in San Francisco, California (see Projects and Programs).

If You Mean Business: A Manual for Southeast Asian Refugees is the result of four development workshops organized in 1983 by CSEARR. The project was funded by the Office of Refugee Resettlement.

The manual includes an extensive checklist of practical considerations for beginning a business. It covers areas such as legal requirements, taxes, insurance, site location, financing, and marketing. Several technical case studies in business planning are presented, covering subjects such as analyzing potential markets for small business services or products.

Particularly helpful for refugees is the inclusion of actual forms they are likely to encounter in the business world. These include contracts, loan applications, and balance sheets.

For more information, contact CSEARR, 875 O'Farrell St., San Francisco, CA 94109. (415) 885-2743.

ECONOMIC DEVELOPMENT FOR LOW-INCOME WOMEN

The Women's Institute for Housing and Economic Development has published A Development Primer, an introduction to housing and business development specifically geared to low-income women and their families.

The book advises service providers about initiatives to improve the economic situation for women heads-of-household living in poverty. The primer includes examples drawn from organizations working with these women and their families. A resource list of organizations and a bibliography are included.

Single copies may be ordered for $7 from the Women's Institute for Housing and Economic Development, Inc., 92 South St., Boston, MA 02111. Four or more copies can be purchased for $4 each. Massachusetts residents must add five percent sales tax.

TWO PRISON MEMOIRS REVEAL CASTRO'S PRISONS

The recent arrival of long-term political prisoners from Cuba has sparked public interest in the others left behind. Two recently published memoirs from former Cuban political prisoners tell their story.

Against All Hope: The Prison Memoirs of Armando Valladares describes the twenty-two year ordeal of a prisoner released in 1982.

Valladares was arrested as a counter-revolutionary, although agents of the political police found nothing when they searched his house.

He describes the physical and psychological tortures and austere conditions of prison life. Valladares contrasts his eyewitness testimony with a statement made by Castro on July 28, 1983 that "there have been no tortures here, there have been no murders."

Jorge Valls, arrested in 1964 for refusing to register for the draft, affirms Valladares' observations in Twenty Years and Forty Days/Life in a Cuban Prison.

Against All Hope: The Prison Memoirs of Armando Valladares can be purchased in bookstores for $18.95. Twenty Years and Forty Days/Life in a Cuban Prison is available for $8.00 from Americas Watch, 36 West 44th St., New York, NY 10036.

CMS PUBLISHES SPECIAL REFUGEE ISSUE

The Center for Migration Studies recently published a special issue of International Migration Review titled "Refugees: Issues and Directions," a collection of 17 articles arranged under four topical headings: refugee movements, asylum and protection, refugee issues in developing countries, and adjustment and resettlement. Dennis Gallagher, executive director of the Refugee Policy Group, was the guest editor.

In his introduction, Gallagher notes that an increasingly higher percentage of the refugee populations around the world "is made up of people who remain refugees several years or more after their flight." This is indicative, he says, of what has been termed the "crisis in durable solutions."

Copies are available for $14.95 plus $2.50 postage and handling. Make checks payable to the Center for Migration Studies, 209 Flagg Place, Staten Island, N.Y. 10304.

INDIANA UNIVERSITY DEVELOPS EMPLOYABILITY SKILLS HANDBOOK

Vocational Educational Services (VES) of Indiana University has developed a resource guide to aid in selecting instructional materials for the teaching of job-seeking and job-retention skills.

Target: Employment, A Resource Guide to Job-Seeking and Job-Retention Materials identifies and evaluates instructional materials for each of five components of employability skills: decision-making, self analysis, occupational analysis, job-seeking process, and job retention.

The guide is available for $11.25 from Vocational Education Services, 840 State Road 46 Bypass, Room 110-111, Indiana University, Bloomington, IN 47405.

INDOCHINESE REFUGEE ACTIVITY
FY 86 as of August 31, 1986

COUNTRIES OF ASYLUM/RPC's	OCT. 1, 1985 POPULATION	FY 86 ARRIVALS	FY 86 REDUCTIONS				TRANSFER TO RPCs	AUGUST 31, 1986 POPULATION
			TO U.S.	3RD COUNTRIES	VOL. REPATR.	OTHER		
HONG KONG	10,039	2,326	90	2,443	0	8	1,297	8,515
MACAU	692	31	0	87	0	1	3	632
INDONESIA	7,048	3,237	440	2,548	0	6	2,578	4,666
MALAYSIA	8,296	6,572	606	2,720	0	13	3,185	8,294
PHILIPPINES	3,184	2,172	172	1,216	0	6	839	3,126
SINGAPORE	260	895	99	458	0	0	321	284
THAILAND	4,618	3,652	175	830	2	0	1,436	5,925
OTHER	1,331	638	76	305	0	1	199	1,374
TOTAL BOAT	35,468	19,523	1,658	10,607	2	35	9,858	32,816
THAILAND - KHMER	24.786	7,307	66	4,172	0	52	817	28,157
THAILAND - HIGHLANDERS	54,686	4,908	144	69	45	0	4,665	57,243
THAILAND - LAO	36,997	2,371	380	1,676	41	0	8,668	29,486
THAILAND - VIETNAMESE	529	2,066	192	273	0	0	1,258	890
TOTAL LAND	116,998	16,652	782	6,190	86	52	15,408	115,776
TOTAL DIRECT (ODP)	282	13,669	808	9,085	0	1	5,314	178
SUBTOTAL	152,748	49,844	3,248	25,882	88	88	30,580	148,770
BATAAN-RPC	15,333	20,752	23,984	154	0	20	0	11,857
GALANG-RPC	2,013	2,597	4,185	4	0	0	0	1,001
PHANAT NIKHOM ESL/CO	5,495	7,131	8,238	0	0	75	0	4,260
TOTAL RPCs	22,841	30,480	36,407	158	0	95	0	17,118
GRAND TOTAL	175,589	49,844	39,655	26,040	88	183	30,580	165,888

The end-of-month population figure is provided by UNHCR, and is the result of ongoing updating and adjusting of statistics. Therefore, the end-of-month population figure is not the result of a horizontal calculation based on arrivals and reductions. Admissions to the United States include those persons entering the United States in refugee status.

Source: U.S. Department of State, Bureau for Refugee Programs.

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November 14, 1986

REFUGEES LEARN TO FLEX POLITICAL MUSCLE

With the campaign season now at an end, people in refugee communities throughout the United States have begun to assess their involvement in the American political process. Their degree of understanding and participation, not unexpectedly, varies widely according to national origin, length of time in this country, and demographic strength. Most assessments still rate refugee political clout as minor right now, but with great potential for the future.

One key to their success will be the degree to which refugees can play coalition politics within their wider immigrant and ethnic communities. The combined Hispanic and Asian demographic strength in five of the most electoral-vote heavy states--California, Texas, New York, Illinois, and Florida--is growing dramatically. The 1980 census found that Hispanics comprised 19 percent and Asians 5.3 percent of the California population.

Hispanics--more than half of whom are of Cuban origin--comprise almost 9 percent of Florida's population. Their political clout is heightened because they are concentrated in Dade County, where they represent 36 percent of the population. In 1985, Cuban-born Xavier Suarez was elected as Mayor of Miami, and Bob Martinez this month became Florida's first Hispanic governor.

In September, the National Association of Latino Elected and Appointed Officials released a survey showing similar Hispanic inroads into Texas and California politics--with 1,466 Spanish-surnamed elected officials in Texas, and 450 in California. The national total of Hispanic elected officials, 3,202, was double the number a decade ago. The Association said that nine congressional districts have majority Hispanic populations.

Demographers project that the Asian and Hispanic proportions of the population will continue to grow nationwide, with particular impact on the vote-rich, sun-belt states. They predict that Texas will be one-third Hispanic by the end of the century and that California will have a "Third World" majority population early next century. Asians are already estimated to comprise 7.5 percent of the California

IN THIS ISSUE:

This issue looks at the increasing participation of refugees in American politics....................1

- Update.................7
- Recent Developments

Legalization provisions of immigration reform studied; Refugee Act reauthorized; Work authorization for some aliens challenged; Cuban detainees moved to Oakdale; UNHCR undergoes changes; Salvadoran young men not persecuted as social group, court says; U.S. hospitals treat wounded Afghans............8

- Current Research

GAO study finds discrepancies in U.S. asylum grants; U.S. Civil Rights Commission reports on anti-Asian acts...16

- Projects and Programs

Police enforce civil rights laws protecting Asians.....18

- Resources............19
- Statistics

INS district directors' asylum cases, FY 86........20

population, and are projected to comprise nearly 16 percent by the year 2030. The Population Reference Bureau estimates a tripling of the current Asian-American population nationwide by the year 2,000, an increase to 4 percent of the total U.S. population. Vietnamese will be the fastest growing Asian-American group, and, in fifty years, will become California's largest Asian ethnic group, demographers say.

Cambodian Runs for Public Office One indication of heightened political consciousness on the part of the refugee community took place this summer in California with the candidacy of Nil S. Hul, a Cambodian businessman, who ran for the Long Beach City Council.

Although he lost the election, Hul, director of the Cambodian Association of Long Beach and a leader in other Cambodian business and cultural associations, feels that the campaign was a success. "It represents a moral awakening of the Indochinese community," he said. "We will run again from now on. Not only me, but more qualified, younger people more used to the American system."

Hul said that the prospect of running for office at first was scary. "We are new over here. We don't know what's going on." But the Southeast Asian community had found city officials slow to respond to their needs. "We needed a voice in the city. Otherwise there would be no way to get anything for the community," Hul recalled. He confessed that at first no one wanted to run. But, finally the Organization of Indochinese Americans (OIA) decided to promote his candidacy. He began coalition building right away, winning the endorsement of the Filipino community.

The 25,000 member Cambodian community has benefited from the increased visibility. Hul said, "The other ethnic communities now realize we have Cambodians here."

N. Andy Anh, treasurer of OIA, as well as executive director of the Economic Employment and Development Center, said that the Hul campaign helped bring a sense of civic duty to the local Indochinese community. The OIA began knocking on doors to register new voters.

Prop. 63 Spurs Minority Coalition-Building Anh has been active in coalition-building with other California minority groups. For example, he joined other Asian and Hispanic leaders in a press conference and legislative hearings in opposition to Proposition 63, the California initiative to make English the official language. Despite their efforts, the initiative passed with more than 73 percent of the vote.

The failure to defeat Proposition 63, however, suggests to refugee leaders the more difficult task of communicating beyond other minority groups to the public as a whole. "We were not able to get the message across," said Vu Duc Vuong, president of the Vietnamese-American Democratic Club, in San Francisco.

The Democratic club has been active in another traditional area of politics--endorsing and supporting particular candidates. In the recent elections, the Vietnamese-American Democratic Club endorsed Mayor Tom Bradley in his run for the governorship. In addition to leafleting and canvassing on his behalf, the club held a fundraiser for Bradley. "By California standards, we didn't raise very much money," said Vuong, "but the endorsement meant more than the money because it showed a commitment from some in this community for him."

Efforts to Build Effective Political Power Base Underway The need for increased naturalization and registration is voiced almost universally by Southeast Asian leaders active in American politics.

One of the more sophisticated and successful efforts took place this summer in Orange County, California, with the creation of the Asian Republican Headquarters. Tran Van, a field representative for Rep. Robert K. Dornan (R-Cal.), helped to create the center, which included a phone-bank of 15 telephones. Volunteers from the Vietnamese and Korean Republican clubs called Vietnamese and Koreans whose names were on a computer print-out supplied by the Republican Party. Vietnamese and Koreans residing in areas with high Democratic registration were favored targets.

"We would ask people if they were citizens," said Tran. "If they said yes, we could register them by phone by filling out the forms and sending them back to the people for their signatures." The group also set up registration tables at shopping centers, churches, and at public events.

REFUGEES NATURALIZE AT HIGH RATES

Population, alone, does not measure political impact. Before their true political weight will be felt, refugees must adjust to permanent resident status after one year; apply to become naturalized citizens after five years; register to vote; and, finally, go to the polls and cast their ballots. Each step represents a hurdle to those unfamiliar with the process.

Despite the obstacles, available statistical data indicate that Asians, including Southeast Asian refugees, are naturalizing at very high rates.

In an as yet unpublished study by University of Minnesota professors Mark Rosenzweig and Guillermina Jasso, Asians are shown to naturalize at dramatically higher rates than other immigrant groups. Based on the rates of naturalization reflected in the 1980 census of immigrants who entered the United States in 1971, the researchers found that over 60 percent of Koreans and Chinese naturalized, while only 2.4 percent of Mexicans and 1.5 percent of Canadians opted to naturalize. Of the Cubans who arrived in 1971, 26.5 percent naturalized, significantly higher than other Western hemisphere immigrants, but well below the Asian average. Since the University of Minnesota research is based on 1980 census data, it does not reflect Southeast Asian naturalization rates.

Because of the five-year residency wait before naturalization, Southeast Asians have only recently begun to naturalize in significant numbers, making meaningful statistical inferences difficult. Nevertheless, the Immigration and Naturalization Service (INS) has analyzed rates of adjustment of status to permanent resident, the necessary first step to eventual citizenship, which can be done one year after arrival (see Refugee Reports, Vol. VI, No. 9).

INS found that 98 percent of Vietnamese refugees who arrived in 1975 had adjusted to permanent resident status by the end of 1984. In the period of refugee arrivals from 1975 to 1983, 81 percent of Vietnamese and 64 percent of Cambodians had adjusted to permanent resident status.

For those who had resided in the United States long enough to naturalize, INS found that Vietnamese and Cambodians naturalized at higher rates than immigrants as a whole, but lower than the rates for all Asian immigrants.

Figures for 1985 showed that Southeast Asians increasingly naturalize with each successive year of residence. In 1984, 11,039 Vietnamese naturalized; in 1985, the number jumped to 18,060. Though smaller in number, Cambodian and Lao naturalizations are almost identical in scale of growth--Cambodian naturalizations rose from 512 in 1984 to 860 in 1985; Laotians, from 968 to 1,616.

The Cubans who arrived in the 1980 Mariel Boatlift have also registered to adjust to permanent resident status at high rates (see Refugee Reports, Vol. VI, No. 2). A total of 95,116, or 76 percent of the total, registered, of whom 44,239, less than half, have had their status adjusted under the Cuban Adjustment Act.

Tran said that 3,000 to 5,000 Vietnamese- and Korean-Americans registered as a result of the effort.

GOP Makes Inroads Among Southeast Asians

Most of the Southeast Asians interviewed for this story agreed that the community is overwhelmingly Republican in political orientation. Tran gives two reasons that are echoed widely. "The Republicans have a staunch anti-communist position. In essence, we are here because the communists drove us out. We know the Republicans will stand up to the communists."

Also, said Tran, the GOP's "spirit of economic self-sufficiency truly coincides with the working ethic of the small 'Mom and Pop' shops arising in our community."

Good data are not yet available on percentages of party affiliation among Southeast Asians. However, in an analysis of the 1984 election in California, Bruce E. Cairn and D. Roderick Kiewiet, of the California Institute of Technology, found 67 percent of the Asian population as a whole voted for Ronald Reagan, a wider margin of support than among all other groups, including whites. They also found Asians to have the highest Republican voter registration of all groups sampled, 41 percent.

In a recent article on Asian political power in the California Journal, Elizabeth Aoki wrote that many new Southeast Asian registrants are choosing to register as independents. "In Southeast Asia, party politics was a dangerous game," she wrote, "and reluctance to commit to a party is a natural reaction."

A recently naturalized Cambodian woman told Refugee Reports that she was reluctant to register, much less to vote and declare political affiliation, because, "it could be embarrassing, or dangerous." She added that when she first heard about "Democrats" in America, she was shocked because she remembered communists calling themselves "democrats" in Cambodia. The term "democrat" evoked horrible memories, whereas a non-communist party of Cambodia called itself "Republican." The Cambodian woman said she thought she would be more comfortable with the Republicans, but that "I need more knowledge to decide between them."

Many Southeast Asians do not understand why they need to register, according to Frank Vinh, chairman of the Vietnamese-American Republican Association and co-chairman of the Asian-American Voters Coalition. He said, "I have checked with hundreds of citizens who didn't know they had to register before voting." Others, he said, express suspicion or apathy by saying, "'I'm just a refugee. I have nothing to do with politics.'"

Refugees Face Many Obstacles to Political Participation Cultural barriers to participation at all levels of politics run deep. Chuong Tran, a legislative assistant to Rep. Bill McCollum (R-Fla.), said the Confucian philosophy gives a sense that one cannot change the system and that it is rude to make demands on authority. He said that the language barrier for many is a major obstacle. "It is tough to sit down and write a letter to a Congressman."

Tran also said that many Southeast Asians are pragmatic and have to be convinced of the benefits in participating.

Vuong said that it is difficult to get the community involved because "in the first few years, survival is the primary concern." He said, "Refugees do not see themselves as part of the American system--they see themselves as outsiders."

Mistrust and Fear Inhibit Political Participation Many also bring a distrust of American politics from the memory of politics in their homeland. "In Vietnam, we did not have a democratic system in which you felt you could participate and make a change," said Vuong.

"Back home," said Neal Cheng Thao, a Hmong social worker in Minnesota, "if the government does something you don't like, you keep quiet. It is hard for us to understand that in America you can protest and no one kills you."

Apprehension arose in the Minnesota Hmong community earlier this year after Sen. David Durenberger (R-Minn.) voiced concern about high Hmong welfare dependency rates (see Refugee Reports, Vol. VII, No. 5). The statement caused great fear in the community, according to Thao. Some, especially older and more traditional people with a military background in Laos, expressed the view, "If he gets angry, he will kill us," and implored the younger members of the community to keep quiet, Thao recalled.

Nevertheless, the Hmong community was able to garner support from a wide spectrum of Minnesota political leaders, voluntary agency personnel, and the media. A letter was finally sent to Durenberger on behalf of the Hmong community.

Durenberger responded positively, and the issue was amicably resolved. Thao observed, "In America, people can attack each other politically, but remain friends."

Since that time, 61 organizations, including all of Minnesota's mutual assistance associations, have come together to form the Minnesota Refugee Advocacy Coalition. A series of meetings and fundraisers have been held to publicize issues of concern to Minnesota's refugees.

A delegation from the coalition traveled to Washington D.C. to meet with influential senators and present their concerns about maintaining refugee admissions levels.

Some Focus Political Energies on Southeast Asian Liberation Struggles Just as memories of the past color refugee attitudes, so too do hopes for the future--the aspiration to liberate the homeland.

WASHINGTON, D.C.-BASED GROUPS HELP REFUGEE ADVOCACY EFFORTS

Several national organizations based in Washington, D.C. are working together to help increase the impact of refugees on the American political process.

A dramatic demonstration of increased political consciousness was the first national Indochinese Community Leadership Convention held in June. The conference, sponsored by the Indochina Resource Action Center (IRAC), brought together 300 participants from 37 states.

Recommendations arising from the convention focused on the need to establish a national advocacy network of refugee mutual assistance associations (MAAs), voluntary agencies, and concerned individuals. Recommendations included naturalization and voter registration drives, the development of information programs to communicate issues to the national network, and increased targeting of the media and Congress.

In addition to developing a voter registration project, IRAC, a nonpartisan group, plans to stress citizenship education. "We need to let the community know why they need to be citizens and the rights they can exercise as citizens, such as voting and petitioning for relatives to come as immigrants," said IRAC president, Le Xuan Khoa.

IRAC is located at 1118 22nd St., NW, Suite 300, Washington, DC 20037. (202) 223-8866.

Another group active on the advocacy front is the National Immigration, Refugee, and Citizenship Forum. Comprised of more than 90 organizations, the Forum has been involved primarily in helping somewhat disparate refugee and immigrant communities find common ground in their advocacy efforts.

"Our role," said Forum president, Rick Swartz, "is to teach newcomers how to swim in these waters. We don't do the swimming for them. We help open doors and give access, but these groups speak for themselves." Swartz said he tells newcomers not to be intimidated by American politics. "Ninety-nine percent of the American public is intimidated too," he tells them.

The Forum scheduled a refugee and displaced persons protection conference back-to-back with the IRAC Indochinese leadership convention. Representatives from a wide range of groups and nationalities worked to identify common goals and to develop coalition strategies.

For more information, contact the Forum at 533 8th St., SE, Washington, DC 20003. (202) 544-0004.

The U.S. Committee for Refugees has worked closely both with the Forum and IRAC. In cooperation with the Forum, USCR conducted a congressional needs survey of the 99th Congress. First, members of Congress were surveyed about their knowledge and involvement in refugee affairs. "We found out that they knew very little about the refugee community itself," said Nancy Iris, former USCR policy and information coordinator.

The project identified members of Congress according to districts with the heaviest concentration of refugees. Using the IRAC mailing list, information on each representative was sent to MAAs in their districts. The congressional listing by high refugee impact districts is being updated for the 100th Congress.

For copies of the updated list, contact USCR, 815 15th St., NW, Washington, DC 20005. (202) 667-0782.

The Advocacy Institute, an organization that works broadly with public interest groups, has also begun to look at ways to help with training and orientation for refugees in lobbying.

The Institute, in cooperation with the Forum, held a strategy session on September 11 with refugee leaders to share lobbying experiences and techniques. The session, which included refugees from Iran, Southeast Asia, the Horn of Africa, Afghanistan, Central America, and South Africa, was broadcast on NBC's Today Show.

The Institute, located at 1527 18th St., NW, Washington, DC 20036, (202) 745-0250, continues to work with IRAC, as well, to monitor developments on Capitol Hill with an eye to implementing the IRAC convention recommendations.

STOP USING THE POOR IS
MR. ... HEART IS MA... OF MONE...

Cambodian and Lao refugees protest eviction in Chicago

Hector Alicea/ Lerner Newspapers

One prominent Vietnamese leader, who declined to be identified, said, "Lots of my friends criticized me when I applied for naturalization saying that I as a leader was betraying my country and denying my national identity."

Another leader, Andy Anh, while acknowledging that many people think priority should be given to the struggle to overthrow the communists, said, "One doesn't preclude the other. We can fight on both fronts. We can't neglect this side just to concentrate on liberation movements. Most of us involved in local politics think we should do both."

Refugees Appeal to Judicial Sytem

Electoral politics only tell part of the story of the American political system. Refugees are having growing success in gaining access to the judicial branch through litigating for their rights. For example, the National Refugee Rights Project was able to restore $5.2 million in benefits to some 10,000 refugees in California when the Office of Refugee Resettlement was enjoined by a California judge from enforcing a change in federal regulations. "Oftentimes we can't challenge the program itself," said Robert Rubin, managing attorney for the project, "but we can provide for fairness in the way programs are implemented."

The Haitian community, however, was able to use the courts to challenge the system head on and reverse U.S. government policy. "The Haitians in their own way come from the weakest point," said Rick Swartz, president of the National Immigration, Refugee, and Citizenship Forum. "They are refugees without recognition, black, poor, a powerless group that illustrates the dispossessed." In the late 1970s, a law suit, Haitian Refugee Center v. Civiletti, challenged the U.S. rejection of Haitian asylum claims. Witnesses from the Haitian community came forward to testify about repression in the homeland. "We saw how the courts could be used to get at the truth. And we won overwhelmingly on issues of fact," recalled Swartz. "We also saw the courage of Haitians to get up in a court in a free society and testify."

The suit had a tremendous impact in giving the Haitian community a sense of organization and hope, according to Gerard Jean-Juste, executive director of the Haitian Refugee Center. "We had been down and crushed," he said. "It was very good therapy for us." Jean-Juste added, "Many say, 'Hey, you have no rights here.' We proved

at the court we have rights."

Southeast Asians in Chicago Assert Rights

Despite all the obstacles to political participation, the Southeast Asian community of Chicago has proven itself adept at working with elected officials and the media to win community improvements.

"Southeast Asians in Chicago have been fairly sophisticated," said Ngoan Le, executive director of the Vietnamese Association of Illinois. She said that several Southeast Asians serve on the mayor's advisory committee on Asian-American affairs, including its chairman.

After a Vietnamese person was shot and killed in a robbery this summer, the community responded by holding a hearing and inviting aldermen, state representatives, and Democratic Party ward committeemen. The refugees called for improved police protection. On August 5, a delegation from the community met with Mayor Harold Washington asking him to hire someone in the police department with Southeast Asian language capability.

But all problems have not been resolvable through discussion with elected officials alone. As in many other cities, Chicago has been hit by a shortage in low-cost housing caused in part by gentrification. In many Uptown areas of Chicago, business development, fueled largely by the Chinese and Southeast Asian communities, has transformed slum areas into thriving communities (see Refugee Reports, Vol. VII, No. 5).

In August, the Cambodian and Lao tenants of a run-down building in a recently declared Uptown "historical district" were given 30-day eviction notices to make way for renovation. Krisna Abhay, executive director of the Lao Service Center, said a group met with the owner, who told them his business was renovating buildings, not dealing with social issues. Since there was no room for compromise in the owner's position, the group decided to take to the streets.

More than 200 refugees joined in the protest march. Rev. Peter Tran of the Indochinese Catholic Center said that the demonstration revealed the frustration the people felt. "It demonstrates that they wanted to be treated with decency and did not want to be pushed around." Tran said that the memory of being forced from their homelands was fresh in the minds of the refugees. "As they began to make a home here and felt comfortable where they lived," he said, "once again they were told to move out."

Even given the level of anger and frustration, said Abhay, many of the tenants were afraid to demonstrate, thinking they would be arrested. "This was different from Laos," Abhay told Refugee Reports. "It was the first time we exercised our rights to speak out."

The refugees enlisted the support of Alderman Jerry Orbach to intercede with the developer. They also drew a great deal of local television and press coverage, including accounts of the stench in the building caused by the back-up of a sewer that the owner had neglected to repair.

A compromise was finally reached. Although the tenants will have to move out, they received an extension on the eviction date, a return of security deposits, and $200 for moving expenses.

Tran said that the tenants held a victory party. "They were proud of their united efforts," he said. "The principle was intact, though poor and being refugees as they are, all they ask is to be treated with respect and dignity. It is not too much to ask for."

Update

° On October 17, President Reagan authorized admission of up to 70,000 refugees to the United States in FY 87. Regional ceilings were allocated as follows: 32,000 for first asylum from East Asia and 8,500 for the East Asian Orderly Departure Program; 10,000 for Eastern Europe and the Soviet Union; 8,000 for the Near East and South Asia; 3,500 for Africa; and 4,000 for Latin America and the Caribbean.

An unallocated reserve of 4,000 was also established for "contingent refugee admission needs," but with two conditions. First, Congress must be notified in advance of any need to draw upon reserve numbers. Second, admission of refugees using the reserve "shall be contingent upon the availability of private sector funding."

An official with the Immigration and Naturalization Service reported that her agency has been meeting informally with the Department of State's Bureau for Refugee Programs and with the Office of Refugee Resettlement to discuss the possibility of implementing a private sponsorship program sometime during FY 87. She characterized the discussions as "just brainstorming at the moment. We're considering a few different models and some pilot projects. We don't anticipate using all 4,000 this year."

- At an October 7 meeting of the UN High Commissioner for Refugees (UNHCR) in Geneva, a Thai government official reaffirmed Thailand's intentions to close Khao I Dang refugee camp by the end of the year. The Bangkok Post reported that Khachatphai Burutphat, deputy secretary general of the National Security Council, told UNHCR that after Khao I Dang is closed, "refugees who have not been accepted for resettlement will be moved to new camps along the Thai-Cambodian border."

Several observers have suggested that, although the Thai government has occasionally sent out conflicting signals about Khao I Dang, it now seems likely that the camp will be closed at the end of the year. The terms of the closure and its immediate impact on camp residents, however, remain unclear, observers say.

The UNHCR estimate of Khao I Dang's population at the end of September was 24,235. This includes about 15,000 Cambodians who have been rejected by the United States. According to UNHCR statistics, close to 4,000 people in this category have family in the United States.

Recent Developments

OFFICIALS PONDER IMPLEMENTATION OF IMMIGRATION REFORM

The Immigration Reform and Control Act of 1986 was signed into law on November 6, ending a six-year effort by Congress to draft a legislative response to illegal immigration. The new act includes provisions for an amnesty program that may allow an estimated 1.4 to 2 million of the undocumented aliens living in the United States to become legal residents.

Government and private agency officials are now pondering the enormous task of implementing a nationwide legalization program. They are also examining the impact of the new legislation on Cuban-Haitian "entrants," as well as on groups who have been granted extended voluntary departure (EVD), a temporary stay of detention and deportation granted by the Attorney General.

Anticipating an implementation date of May 1987 for the legalization program, the Immigration and Naturalization Service (INS) will begin a series of meetings on November 14 with some of the national voluntary agencies which may assist in handling applications for adjustment of status. Voluntary agency roles, INS monitoring functions, and reimbursement fees will be among the topics to be discussed, according to an INS official.

The new act provides an initial, temporary resident status and work authorization to aliens who entered the United States illegally prior to January 1, 1982 and who can demonstrate that they have resided continuously in the country since that time. After 18 months, these individuals can then adjust their temporary status to that of permanent resident, if they can show that they are admissible to the United States as immigrants. They must also show that they have, or are in the process of acquiring, such "basic citizenship skills" as an understanding of English, and some knowledge of the history and government of the United States.

The act also bars newly legalized aliens from receiving federal public assistance benefits for five years after becoming temporary residents.

The immigration act authorizes the Attorney General to designate "qualified voluntary organizations" and other state, local, and community organizations to assist in the legalization program. In the next few weeks, INS will be meeting with a number of the national voluntary agencies to discuss program regulations, and the specific roles that private agencies might perform.

"We have had no formal discussions with INS," said Monsignor Nicholas DiMarzio, director of Migration and Refugee Services for the U.S. Catholic Conference, "but we see ourselves cooperating in the legalization program." DiMarzio, who is also chairman of the InterAction task force on legalization, said development of program regulations was "key" in resolving private agency concerns about implementation.

"The voluntary agencies are going to be involved in the program," said Chris Gaffney of the American Council for Nationalities Service (ACNS). But she added, "Whether we become contractors with INS is going to depend on how the program is implemented, and whether it's in the interests of our clients to do so." There were still "lots of unanswered questions" about the program regulations, she said.

INS, Volags to Discuss Responsibilities, Relationships, and Fees Several voluntary agency officials had questions about the specific roles their organizations would play in the legalization program. One INS official told *Refugee Reports* that private agency responsibilities were likely to include screening applicants, advising them on eligibility, and assisting them with the preparation and filing of documents.

Although the immigration act does not fully specify the type of documentation that aliens must file in order to adjust status, DiMarzio said that he understood it would include proof of continuous residence, a recent medical history, photographs, and fingerprints. Proof of residence could be established by employment and school records, rent receipts, utility bills, and tax-related forms. Affadavits from credible witnesses could also be used.

John Fredrikson of the Lutheran Child and Family Service in Chicago told *Refugee Reports* that he was concerned about INS monitoring of the legalization program, and the implications for both his clients and his agency: "What involvement will INS have in the preliminary stages of processing?" he asked. "Will they make site visits to the agencies? What will be done to safeguard confidentiality?"

When asked these questions, an INS official pointed out that the act states that all files gathered by participating agencies are confidential and that "INS and the Attorney General are barred from access to files without consent of the alien."

The act also states that information furnished as part of the legalization application "may not be used by the Attorney General or Justice Department for any other purpose than to make a determination on the application." The INS official said this means that the file of an alien who is rejected for temporary resident status could not be used to initiate deportation or exclusion proceedings, unless it was established that the alien had presented fraudulent documentation in the application.

Although program regulations governing INS and private agency relationships have yet to be drawn up, one INS official said, "We will not be there checking up on people, or making arrests. As long as applications are prepared honestly, there is no risk involved."

DiMarzio said that another issue to be discussed with INS was the matter of reimbursement fees INS will pay to the voluntary agencies, or other qualified organizations, for processing legalization applications. He said that a figure of $15 per application that had been discussed in previous years was "no longer adequate," for two reasons. The first is simply that "things cost more these days," he said. The initial figure also assumed a one-step process in which the legalized alien immediately assumed permanent resident status. The current act has established a two-step process that will be more costly and time-consuming, said DiMarzio.

Gaffney concurred that "fees are important and need to be discussed at some point." More important right now, however, is the need to develop "good, solid regulations that spell out who is eligible for legalization, how do they prove it, and what risks are involved," Gaffney said.

Cuban-Haitian Adjustment Begins When President Reagan signed the immigration reform act, between 30,000 and 35,000 Haitians in the United States immediately became eligible to apply for permanent resident status, according to INS. Also included were at least several hundred Cubans who had not been eligible to adjust under previous legislation.

Under the Cuban Adjustment Act of 1966 and successive laws, Cuban nationals have been eligible to apply for permanent resident status in the United States. The exact number to have adjusted is not known. The current adjustment act is the first that has applied to Haitian "entrants," many of whom arrived in the United States during the same period as the Mariel Cubans.

The Cuban-Haitian adjustment section of

the new act covers three groups, according to INS: persons designated as "Cuban-Haitian Entrants"; Cubans and Haitians who applied for asylum with INS prior to January 1, 1982; and nationals of Cuba and Haiti who entered the country without inspection prior to the January 1, 1982 cutoff date.

INS is urging qualified applicants to wait a few weeks before applying because the regulations and forms needed to implement the program are not yet available at INS district offices. The service hopes to have the regulations completed in 30 days, according Joe Cuddihy, Senior Immigration Examiner at INS.

There will be no charge for applying, Cuddihy said, and eventually, applicants will be able to apply at INS district offices.

In the past, voluntary agencies have been involved with adjustment programs, but, Cuddihy said, "I think it's too early to say how much of a role voluntary agencies will have in this program." The bill does not provide federal funding for implementing the Cuban-Haitian adjustment program.

Documentation May Expedite Application Processes

Persons who think they may qualify for adjustment should try to locate those documents which verify their status in the United States, Cuddihy said. Those who entered as Cuban-Haitian "entrants" should have an I-94 visa stamped "Cuban-Haitian Entrant--Status Pending."

Asylum applicants should have copies of their correspondence with INS, a receipt from their application, or an alien registration number.

Persons who entered the United States illegally prior to January 1, 1982 will need to have some documentary proof of that. Included in this group are the be so-called "Spellman Haitians," Cuddihy said. These Haitians, numbering 1,500-2,000, arrived after the Cuban-Haitian entrant program ended. They were held in custody, but later ordered released into parole in June 1982 by Judge Eugene P. Spellman of the U.S. District Court for south Florida. They were issued an I-55 laminated "Immigration Parolee Card," according to Cuddihy.

"We'll make provisions for lost documents," Cuddihy said, adding that the service has a computerized system which can locate a person's immigration record based upon a name and birthdate. There are also computerized files containing each asylum application, Cuddihy said.

Though qualified Cubans and Haitians will be able to become permanent residents immediately, the adjustment does not extend to their spouses and children unless they meet the adjustment criteria.

For example, Cuddihy said, a Haitian who married a Guatemalan would not be allowed to adjust his wife's status along with his own. "She would have to leave the country and get a visa at the embassy," he said, and would have to wait for a visa subject to normal immigration quotas. Previous adjustment acts, like the 1968 and 1975 acts concerning Vietnamese, he said, included the automatic adjustment of spouses and children.

Under these circumstances, Cuddihy said, it is conceivable that some Cubans and Haitians who qualify for adjustment might also qualify for legalization, and could choose to apply for the amnesty in order to legalize their spouses and children sooner.

Some Extended Voluntary Departure Recipients May Be Eligible for Amnesty

Persons in the United States who were under extended voluntary departure (EVD) prior to January 1, 1982, or who were in an unlawful status, and known to be so by INS prior to that date, might be eligible to apply for amnesty under provisions of the new immigration act, according to sources at INS. EVD is a temporary stay of detention and deportation granted at the Attorney General's discretion, following a recommendation by the Department of State.

EVD is not a legal status, according to both Congressional and INS sources familiar with the issue. Under the new immigration law, those who can prove they were in the United States illegally prior to January 1, 1982, can apply for amnesty.

On January 1, 1982, EVD was in effect for nationals from Afghanistan, Ethiopia, Poland, and Uganda. EVD for Ugandans expired on September 30, 1986. It remains in effect for the other nationals.

It is possible, sources said, that nationals of countries for whom EVD was once granted, but has since expired, may also still be in the United States, because of case-by-case extensions of EVD. Included in this category are Iranians, Hungarians, Romanians, Lebanese, Nicaraguans, and Czechoslovakians.

Individuals on voluntary departure, or extended voluntary departure, can request extensions of those statuses, according to INS officials. Requests for extensions are reviewed on a case-by-case basis at the discretion of INS district directors.

It is not known how many persons are currently in the United States under EVD, INS officials said.

CONGRESS REAUTHORIZES REFUGEE ACT

On October 18, in an unexpected move, Congress passed legislation reauthorizing the domestic refugee resettlement program for FY 87 and 88. President Reagan signed the bill into law two weeks later. The Refugee Assistance Extension Act of 1986 (P.L. 99-605) adopts most of the language of the reauthorization bill passed by the House of Representatives more than a year ago.

Authorization for the refugee program had expired at the end of FY 83. Since that time, funding for the Office of Refugee Resettlement (ORR) has been provided through continuing resolutions passed by Congress at the beginning of each new fiscal year. ORR funds for FY 87 have also been appropriated through a continuing resolution passed shortly before the reauthorization act.

The Senate amended the House version of the reauthorization act by deleting funding authorization for "targeted assistance," an ORR-funded program of supplementary aid designed to find employment for refugees and entrants residing in local areas of high need. In FY 86, $47 million was appropriated for targeted assistance. Although the FY 87 continuing resolution provided no new funds for targeted assistance, ORR will be able to continue the program through March 1988 by carrying over funding from the previous year.

An ORR official said that his agency's FY 87 budget request must be approved by the Office of Management and Budget (OMB) before any money can be spent this fiscal year. He said he expected OMB to approve the ORR budget sometime during the week of November 17, and that the new funding for FY 87 would amount to about $360 million.

The Senate also deleted a provision in the House reauthorization bill that would have granted refugees "presumptive eligibility" for Medicaid during their first year in the United States. Under this provision, the director of ORR would have been authorized to provide newly arriving refugees with medical assistance regardless of their financial status. Susan Forbes of the Refugee Policy Group in Washington, D.C., told Refugee Reports that presumptive eligibility for Medicaid had been seen as "one way of separating cash and medical assistance." She said that the administration had opposed the idea on the grounds that it would provide refugees with a benefit not available to other citizens.

Act Requires Volags to Report, Meet Performance Standards The reauthorization act includes a number of provisions that could have a significant impact on voluntary agencies and the reception and placement services they provide, under grant agreements with the Department of State.

The act requires that voluntary agencies must file quarterly performance and financial reports, as well as submit to an annual audit by the General Accounting Office (GAO). Voluntary agencies will also be required to prepare annual reports that describe their annual expenditures under the reception and placement agreement, the number of refugees they placed (by county of placement), the proportion of refugees placed in the previous year who are receiving cash or medical assistance, and efforts made by the agency to monitor placement and to coordinate with other local service providers.

The State Department is directed by the act to establish performance criteria for the agencies providing reception and placement (R&P) services, to account for "efforts to reduce welfare dependency," collection of travel loans, cooperation with refugee mutual assistance associations (MAAs), and compliance with overall program guidelines.

A State Department official said that most of the act's new requirements for the reception and placement (R&P) grants had been anticipated, and would be reflected in its new cooperative agreement with the voluntary agencies providing R&P services. That agreement is being reviewed by State's legal counsel and a final version should be completed by January, the official said.

The current version of the cooperative agreement provides voluntary agencies with a per capita grant of $560 for each refugee they resettle. The agreement requires the voluntary agencies to provide a range of "core services" during a refugee's first 90 days in the United States, including housing and food for a minimum of 30 days, clothing, orientation to public services and the local health care system, and job counseling to employable refugees.

The State Department official said that the new cooperative agreement would include "transportation to job interviews and training" as a new core service. The official also said that guidelines will be incorporated into the agreement that spell out performance criteria in the areas of monitoring, case evaluation, employment of "free cases," and evidence of "local presence" by a voluntary agency or affiliate.

FAIR PETITIONS INS TO END WORK AUTHORIZATION FOR CERTAIN ALIENS

The legality of a federal regulation which allows the Immigration and Naturalization Service (INS) to authorize work for several classes of aliens, including those "who filed a non-frivolous asylum application," is being challenged, according to a notice in the October 28, 1986 Federal Register.

The notice includes the text of a petition which the Federation for American Immigration Reform (FAIR) filed with INS on October 22, 1986. It states that 8 CFR (Code of Federal Regulations) 109.1 (b), which authorizes employment to be granted to certain groups of aliens at the discretion of the Attorney General, is "contrary to one of the key purposes of the INA [Immigration and Nationality Act], which is to protect American workers and working conditions." The petition asks that the rule be rescinded.

The petition states that only the Congress, not the Attorney General, has the authority to grant work authorization to those aliens described in section (b).

Aliens covered under section (b) include those who have applied for adjustment to permanent resident status, those paroled into the United States for "emergent reasons," those who have applied to an immigration judge for suspension of deportation, and those granted voluntary departure who meet certain conditions.

According to Dan Stein, an attorney for FAIR, the granting of work authorization to aliens described in section (b) is carried out by INS district directors on behalf of the Attorney General. But the Attorney General's power to authorize was itself, "never authorized by Congress," Stein said.

According to Michael Shaul, of INS, "The service is not taking a position for or against the petition." And, according to the Federal Register notice, "the service is not proposing a regulatory rule for adoption."

Shaul said INS is under no obligation to print letters from the public. The fact that INS chose to print the petition indicated that the service took it seriously, he said.

Amy Novick, of the American Immmigration Lawyers Association (AILA), said she thought the rule change sought by the petition might already have a great deal of sympathy within INS. She said several of AILA's national chapters were reporting that many INS district directors typically deny work authorization to aliens in deportation proceedings, or those with pending asylum applications.

The INS notice invites public comments about whether or not it should proceed with the rulemaking FAIR is requesting. Comments, in duplicate, should be sent on or before December 29 to the Director, Office of Policy Directives and Instructions, INS, 425 I Street, NW, Room 2011, Washington, DC 20536.

OAKDALE ANNOUNCES CHANGE OF "MISSION"

Some Cubans now in detention may be paroled after a period of rehabilitation at the Oakdale detention facility, according to spokesmen for the Immigration and Naturalization Service (INS) and the Bureau of Prisons (BOP).

The Oakdale detention facility, a controversial complex built to detain undocumented aliens, will be used to hold some of the excludable Cuban detainees from the 1980 Mariel boatlift now in the Atlanta federal prison, state and local jails, and INS processing centers throughout the nation, according to Duke Austin, public information officer for INS.

Austin said the Cubans moved to Oakdale will be of a "low security risk,"--those INS believes will not try to escape. And, according to Ray Rowe, associate warden for programs at Oakdale, "Most will have had exclusionary hearings and many will have been approved for halfway houses," indicating that some might be paroled into the community. Paroles of this kind are issued at the INS district director's discretion, Austin said, adding that 300 such paroles have been granted during the past year.

Aliens now in Oakdale are being released on bond, deported, or moved to INS processing centers, Rowe said. Only 300 aliens would be left in the facility by November 14, he said, and the first group of 200 Cubans from Atlanta were expected to arrive in Oakdale on November 12. Rowe said the switch would be completed in six weeks, and by February 1987 Oakdale will hold as many as 950 Cubans.

Austin said the change was being made because an "ever increasing number of excludable Mariels were in INS custody." In INS detention centers alone, he said, 600 Cubans were housed, and 40 to 50 more are being apprehended each month. Austin said the opening of Oakdale is not designed to relieve over-crowding in Atlanta since only 200 Cubans, including an undetermined number from Atlanta's mental health unit, will move from there.

Despite the "low-risk" classification, "We're going to be beefing up security," Rowe said. "We're going to add more man-barrier wire, another patrol car, and double the officer coverage inside." Of 80 new positions at Oakdale, 50 will be security personnel, Rowe said.

The 44 INS employees now involved in deportation proceedings at Oakdale "will be kept," Rowe said. "There won't be a need for an immigration court and there won't be deportations," Austin said. It's not known what INS staff at Oakdale will be doing from now on. "There may be some shuffling of the people in there," Austin said.

Officials said Oakdale will have recreation, education, health and rehabilation programs for the detainees. The opportunity for training will provide some detainees whose behavior is good to have a job skill, Austin said, when and if they are paroled.

Though INS has described the change at Oakdale as temporary, BOP and INS officials said they don't know when Oakdale will return to being a detention facility for undocumented aliens.

SHAKE UP AT UNHCR AVOIDS MAJOR UN CUTS

As Congress and the Reagan Administration sought ways to reduce the federal budget throughout the term of the 99th Congress, the U.S. contribution to the United Nations loomed as an increasingly inviting target for major cuts. Without a natural constituency of domestic U.S. support and, in the eyes of many, with an inflated budget, chronic mismanagement, and a record of unpopular positions critical of U.S. foreign policy stands, the United States was poised to cut drastically its contribution to the international body and its agencies.

Personnel at the office of the UN High Commissioner for Refugees (UNHCR), although not directly threatened by the projected cuts, began administrative "housecleaning" in an effort to avert criticism.

U.S. Contribution to UN Cut by More Than Half On October 27, the United States informed UN Secretary General Javier Perez de Cuellar that it would contribute $100 million to the 1986 UN budget. This represents less than half of the $206 million assessment required of the United States under the UN Charter.

The reduction caps a series of measures by the U.S. Congress and the Reagan administration to cut the U.S. contribution, beginning last year with the Kassebaum Amendment (Public Law 99-93), which would reduce the U.S. contribution to the UN and its specialized agencies from its traditional 25 percent of the budget to 20 percent, unless the United States is given a greater voice in how the money is spent.

UN Takes Belt-Tightening Measures Pressure from the United States aggravated a budget crisis at the UN that had been announced by Secretary-General Javier Perez de Cuellar in early 1986. On April 28, he presented the General Assembly with a revised budget, cutting $60 million.

On August 18, a committee of 18

diplomats presented Perez de Cuellar with a report recommending a 15 percent cut in UN personnel, a lay-off of about 1,700 employees, and sharp cuts in the number of UN conferences and travel. The 40-page report, with 70 recommendations for reform, did not, however, advocate adopting voting on budgetary matters proportional to the contributions of member states, the heart of the U.S. congressional demand.

UNHCR Restructures Itself The UN High Commissioner for Refugees has been fortunate in that its U.S. contribution comes by way of the U.S. Bureau for Refugee Programs budget rather than the general foreign aid budget. As a consequence, said Nicholas van Praag, UNHCR press officer, "we are more comfortable."

Under the new direction of Jean-Pierre Hocke, however, UNHCR has not been complacent. And some in Congress have noticed administrative reforms instituted by Hocke. On September 19, Sen. Edward M. Kennedy (D-Mass.), ranking minority member of the Senate refugee subcommittee, addressed the Senate, saying that "the important management and other reforms that have been achieved by the new UN High Commissioner for Refugees...[are] one example of the United Nations responding to our concerns and criticisms--when they are constructively offered."

On March 21, Hocke issued a memorandum to the staff dictating a fundamental reorganization of UNHCR. The old structure, in which the protection and assistance functions were separately compartmentalized, was replaced by regional bureaus in which UNHCR's protection mandate has been integrated with its role in refugee assistance.

In an August 11 letter to Kennedy, Deputy High Commissioner Arthur E. Dewey wrote, "The fundamental objective of these reforms is to strengthen UNHCR's performance and cost-effectiveness in field operations which protect and assist refugees." The reforms, wrote Dewey, addressed "wide concern both within and outside the office that UNHCR had lost its sense of identity and purpose."

Protection Mandate at Center of Reorganization Concern had been raised in some quarters that UNHCR's protection mandate would "play second fiddle" if subsumed under assistance. Van Praag said, "There has been no downgrading of protection. Protection is at the pinnacle of our concern." He said that the restructuring "marries protection and assistance, which had been artificially divorced before."

A nongovernmental agency representative who recently visited UNHCR headquarters in Geneva, however, came away with more cautious impressions. This individual described much of the staff as "exceedingly dispirited," an observation reportedly discussed at meetings with nongovernmental agencies in October.

The observer said that the emphasis of the new UNHCR leadership appears to be to "get in and out of situations quickly." UNHCR appears ready to act on emergency situations for a brief period and then "pass the baton" to other agencies such as the UN Development Program. Such an approach, the source said, "has some real dangers, if not well handled."

This observer went on to say that the word "protection" has been taken out of any formal titles. "There are no longer 'protection officers.' If protection is everybody's responsibility, it can all too easily become nobody's."

UNHCR Representative to the United States Moved from District of Columbia to New York Another consequence of the UNHCR shake up has been to move the UNHCR Representative to the United States from Washington, D.C. to New York City. Some critics of the move charge that it risks drawing UNHCR further into the UN orbit. One told Refugee Reports, "It smothers the good image of UNHCR in the bad image of the UN."

Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights, said, "The move may signal a diminished commitment to protection in the United States." Helton said that it was too early to tell whether his fears are justified, but added that "structurally" it poses certain questions about UNHCR supervision of protection, both in terms of individual cases, where UNHCR dealt directly with the Department of State, and also in broader protection questions in U.S. law, where the UNHCR Representative to the United States had worked effectively with the U.S. Congress.

Dale de Haan, director of the Immigration and Refugee Program of Church World

Service and former Deputy UN High Commissioner for Refugees from 1978 to 1981, said that every new UNHCR administration brings its own changes, and that a certain amount of controversy surrounding them is to be expected. He said, "I don't attach much importance" to the move from Washington of the UNHCR Representative to the United States. He said that the position was originally located in New York and "performed very well there."

De Haan said, however, that more important than organizational restructuring is the new High Commissioner's policy orientation to "restore the earlier broader construction of the competency of UNHCR's office." By this, de Haan specifically referred to Hocke's insistence that UNHCR is concerned not only with refugees fleeing persecution, but also with persons who have fled their country due to situations that do not fall within the classical refugee definition of the UNHCR statute, such as armed conflicts and internal turmoil. De Haan said, "I think he is off to a good start."

COURT RULES YOUNG SALVADORAN MEN NOT "SOCIAL GROUP" FOR PURPOSES OF ASYLUM

Before leaving El Salvador in 1980, Luis Armando Escobar-Sanieto, a 24-year-old auto mechanic, says he lived in fear.

After his workplace was destroyed by bombs, he was laid off from his job. That same month, two men in an unmarked van with government license plates attacked him as he was walking on the street one evening. The men questioned him about guerrilla activities, beat and robbed him, and threatened him with death.

Escobar had participated in two demonstrations protesting human rights abuses and had avoided recruitment into the army. He had several young male friends who were killed by the national guard and saw the dismembered bodies of other young men who he believes were killed by the national guard.

Escobar and another young Salvadoran male, Luis Alonzo Sanchez-Trujillo, appealed their deportation order on the grounds that they are members of a "particular social group"--young (18 to 30 years old), urban, working-class males of military age who have not served in the military or otherwise demonstrated their support for the government of El Salvador.

On October 15, the Ninth U.S. Circuit Court of Appeals ruled against Sanchez and Escobar, denying that they qualified for asylum and withholding of deportation as members of a social group. The Immigration and Nationality Act defines a refugee as a person unable or unwilling to return to a country due to "a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion" (emphasis added).

The court panel determined that a "social group" implies a "voluntary associational membership." Young men, the Ninth Circuit found, do not constitute such a membership.

The Ninth Circuit ruling upholds the Board of Immigration Appeals (BIA) decision, which dismissed Escobar and Trujillo's appeal on October 15, 1985. In its ruling, the BIA stated, "It is not enough to simply identify the common characteristics of a statistical grouping of a portion of the population at risk, but in the context of the asylum and withholding provisions related to 'membership in a social group' under the [Immigration and Nationality] Act there must be a showing that the claimed persecution is on account of the group's identifying characteristics."

The board ruled that individuals in El Salvador are not persecuted because of their age, gender, economic status, and urban residence either "singularly or in the aggregate." The only factor shown to be a basis for persecution in El Salvador, according to the BIA, is political opinion.

"While the respondents have shown statistically that many of those being killed in El Salvador are young males," the board concluded, "a purely statistical showing is not by itself sufficient proof of the existence of a persecuted group."

AFGHAN WOUNDED RECEIVE MEDICAL TREATMENT IN THE UNITED STATES

Efforts by private organizations in the United States to assist war-injured Afghans recently received a financial boost from the U.S. government. An amendment to a congressional appropriation for nonlethal aid to the Afghan resistance provides almost $1 million to enable wounded Afghans to receive medical care in the United States.

In August, the Intergovernmental Committee for Migration (ICM) signed a one-year contract with the Agency for International Development (AID) to coordinate transportation arrangements for Afghans travelling to and from Pakistan. ICM acts as a liaison between governments, voluntary agencies, hospitals, physicians, and community groups to identify sources willing to sponsor patients and to donate medical treatment and care.

ICM official, Fran Sullivan, told Refugee Reports that the $800,000 contract with AID primarily covers patient transportation costs. All medical care and sponsorship services in the United States must be provided on a voluntary basis. Sullivan estimated that patients are in the United States for an average of two to three months before they return to Pakistan. She said patients and their escorts are admitted with temporary entry visas, not as refugees.

In the last two years, it is estimated that more than 160 Afghan men, women, and children have been flown to medical facilities around the United States to be treated for wounds they sustained in the war against Soviet occupying forces in Afghanistan. Sullivan said that there are currently about 80 Afghan patients in the United States, and an additional 80 on a waiting list. Sullivan explained that the people on the waiting list were first nominated by a board made up of Afghan political party members in Pakistan, and then given a medical examination by the International Medical Corps, a U.S. voluntary organization working in Pakistan. The screening services are funded under a $150,000 contract with AID.

An ICM report on the Afghan medical program states that, in order to be treated abroad, "patient injuries must be war-related, having been sustained in Afghanistan." Additionally, the condition must be one that cannot be treated in Pakistan hospitals, but can be treated in the United States within three to six months. The report also states that "patients who have communicable or chronic diseases, or psychiatric problems, will be screened out."

The director of the Committee for a Free Afghanistan, Mary Spencer, says her organization started its own "Project Wounded" in August 1984, but was able to bring over no more than three or four Afghan patients per month. "We were doing it all by ourselves back then," she said.

Spencer credits Rep. Charles Wilson (D-Tex.) as being "critical in getting government support and in helping us network in the Afghan community." She said Wilson was instrumental in bringing 60 patients to Texas for treatment.

Spencer said there are two motivations for helping the Afghan wounded. The first is humanitarian: "There are virtually no hospitals left in Afghanistan, and 80 percent of the doctors have been killed. To be wounded in Afghanistan is to be dead." Her second motivation is more political: "The American people need to know of the brutality over there. We can't take the journalists to Afghanistan, so we're bringing the war to the United States."

Current Research

GAO STUDIES U.S. ASYLUM PRACTICES

The General Accounting Office (GAO) is expected to publish a report on November 18 on the fairness of U.S. asylum practices. The report is anticipated to show that applicants who suffered similar kinds of persecution were not granted asylum at similar rates. A preliminary report of the study's findings suggests that their country of origin was a key variable.

The preliminary findings were made available to Sen. Arlen Specter (R-Pa.), who published them in the October 15 Congressional Record. Specter had requested that GAO do the study.

"Aliens who stated on their applications that they were arrested, imprisoned, had their life threatened, or were tortured had much lower approval rates if they were from El Salvador and Nicaragua than if they were from Poland and Iran," the preliminary report states.

Among those sampled who described torture to support their asylum claims, according to the report, had widely varying approval rates of 4 percent for Salvadorans, 15 percent for Nicaraguans, 64 percent for

Iranians, and 80 percent for Poles. The report qualifies the finding by saying that factors such as extent of documentation and severity of mistreatment were not analyzed.

Another significant factor for discrepancies in asylum approvals is whether or not the applicant entered the country legally. Legal entrants from all countries had an average approval rate of 38 percent. Asylum applicants who entered without inspection (illegally) were found by the study to have approval rates of 1.6 percent. About 87 percent of Poles and Iranians entered legally, of whom 49 and 67 percent, respectively, were approved. Eighty-seven percent of Salvadorans entered without inspection, of whom the asylum approval rate was .4 percent. Those Salvadorans who did enter the country legally had asylum approval rates of 11 percent.

Of the asylum applications sampled, the study found that people who claim persecution on account of religion receive the highest asylum approval rates (82 percent). On the other hand, all applicants whose stated fears were based upon conditions of internal civil or military strife were denied. Salvadorans comprised 87 percent of those basing their asylum claims on such conditions.

INS Does Not State Reasons for Denying Asylum The GAO study was based on a stratified random sample of 2,023 of the 32,426 advisory opinions issued by the State Department in 1984. Samples were drawn from nationals of El Salvador, Iran, Poland, and Nicaragua, the four countries with the highest volume of asylum applications--82 percent of the total processed by the Immigration and Naturalization Service in 1984.

Of the GAO sample, 573 files, or 28 percent, were either not located, incomplete, or pending an INS action, and were not available at the time of the review.

The study pointed out the difficulty of analyzing discrepancies in asylum denials. "With no requirement [for INS officials] to document decisions it is uncertain as to whether all applicants were treated fairly and were held to the same standards." Any review of asylum decisions is made difficult, the report states, "because INS does not require that the applicant's file contain the specific reasons for approving or denying the application." While the GAO study reports differences in approval rates among the four countries, it does not go so far as to allege the existence of a bias in the application of asylum standards.

These preliminary findings include the caveat, "Until the amount of error associated with each value is determined, we advise caution in drawing inferences from the findings reported here."

Few Denied Asylum Applicants Actually Deported The study also found that few of the people denied asylum are actually deported. Of the 21,033 applicants denied asylum, 312, or 11.5 percent, were deported to their home country. Here, again, a discrepancy was found among the countries in the GAO sample. In fact, none of the deported applicants were from Poland, Iran, or Nicaragua. Only Salvadorans appear in the GAO sample as actually being deported to their home country.

CIVIL RIGHTS COMMISSION ISSUES REPORT ON ANTI-ASIAN VIOLENCE

Violence against Asians is a widespread problem across the United States and may be caused, in part, by public misconceptions about refugees, according to a recent report by the U.S. Commission on Civil Rights.

"Many Americans misunderstand the status of refugees in this country," and "such misunderstandings can create feelings of mistrust and resentment," says the report, titled "Recent Activities Against Citizens and Residents of Asian Descent."

Among the public's misconceptions about refugees is the nature of the financial support the U.S. government provides them. "One commonly held belief about refugees is that the United States Government is making very low-interest loans to immigrants and refugees or giving them money to start businesses," the report says. Many Americans believe that refugees receive cash grants from the government, or that they are "entitled to greater welfare benefits from the government to which Americans generally are not entitled," according to the report.

Refugees, for their part, may also contribute inadvertently to some anti-Asian sentiment, the report says, because they "may not be aware of American customs or laws and may do things that violate either local ordinances or rules of conduct found acceptable by Americans."

Those who commit acts of violence against Asians usually live in the same community as their victims, according to the report. Most of these offenders are never arrested.

The report was undertaken at the urging of Commissioner John H. Bunzel, a senior research fellow at Stanford University's Hoover Institution. In an 18-month period, the commission's staff visited a number of U.S. cities and received written and oral testimony from Asian civil rights leaders, law enforcement officials, politicians, and others.

Bunzel issued his own statement in the report in which he called for the formation of state commissions on "emerging populations" to assist refugees and immigrants. He also urged funding for "newcomer transitional training services" to assist refugee and immigrant adjustment. Finally, he called upon the media, especially television, to "take immediate and positive steps to improve the perception of Asian Americans so that old stereotypes will not be reinforced."

The lone recommendation of the report calls for the establishment of a national system for collecting statistics about anti-Asian activity, in order to determine more accurately the level of such activity around the country. But Federal and local law enforcement officials say such a system would be extremely difficult to implement. A bill which would have attempted to establish such categories of statistics, possibly within the Federal Bureau of Investigation's Uniform Crime Report, died during the 99th Congress.

Projects and Programs

TWO STATES ASSESS ANTI-ASIAN VIOLENCE

As noted in the U.S. Civil Rights Commission report on anti-Asian violence (see Current Research), only a handful of states nationwide are attempting to track the number of violent acts against Asians. And officials in at least two of those states--Maryland and Massachusetts--cite numerous shortcomings in attempting to draw conclusions based upon their statistics.

They say that not all incidents are reported. Many victims, especially Southeast Asians, often do not come forward to police (see Refugee Reports, Vol. VII, No. 8). This is especially true for activities that do not involve physical violence and are not typical crimes, such as harassment and intimidation.

In Maryland, where the state police have been required by state law since 1982 to track so-called "hate crimes" and incidents of a racial, religious, and ethnic nature, local police and fire departments voluntarily provide statistics. According to Joann Anderson of Maryland's State Human Relations Commission, the number of racial, religious, and ethnic incidents has remained about the same over the last four years. "There are no trends," she said.

Lt. John Cook of the Maryland State Police Superintendent's office said, "We don't have across-the-board numbers of intimidating acts against Asians as against blacks and Jews." He said if he had to rate the number of incidents by volume against a particular minority, he would put blacks first, followed by Jews, and Asians.

Although the system has been refined and definitions of "hate crime" activities have been developed for local officers to use in reporting, there are still problems.

Some activities fall to the subjective interpretation of individual officers. "What might be considered an act of bigotry one place is accepted somewhere else." He added, "What we may consider an act of intimidation, someone else might consider free speech, such as a Ku Klux Klan pamphlet."

The real difficulty in reporting acts of hatred may lie in the subjective nature of hate itself. "You can't legislate hearts and minds," Cook said.

Boston Police Enforce Strong Rights Law

Sergeant Bill Johnston, commander of the Boston Police Department's Community Disorders Unit, said the problem with "hate crimes" is that most states do not have the proper tools to deal with them--namely, strong civil rights laws. "Hate crimes are not unsolvable," Johnston said. "I arrest for civil rights violations."

Johnston said the community disorders unit was formed in 1978 to cope with community violence resulting from court-ordered busing. In 1980 the unit began working with Boston's emerging Asian communities. His staff includes 13 detectives and four interpreters, who together have language ability in Lao, Thai, Chinese, Vietnamese, Cambodian, and Spanish.

Johnston believes the success of the unit, which was involved with 183 cases during 1985, is attributable to "good, streetwise officers," who have been trained to be sensitive to the communities they serve, and the state's tough civil rights laws, which allow officers to identify and arrest violators.

According to Gail Suyemoto of the state Attorney General's office, the law is backed up by tough criminal and civil provisions. Criminal penalities include a $1,000 fine or one year in prison, or both, and in case of bodily injury, a $10,000 fine, 10 years in prison, or both.

"There are two ways to prove racial violence: the use of epithets, and establishing a pattern and practice of violence," Suyemoto said. "This sometimes puts the Asian community at a disadvantage because you have to understand English" to know whether or not someone is calling you a name. If a pattern of violation is established, a person can be enjoined from further such activity.

Suyemoto said there have been 30 civil cases prosecuted under the act since 1980 and 15 of those involved Asian victims. However, for Johnston, the most important statistic is the number of repeat incidents. There were only five repeat incidents during 1985, he said.

Johnston believes if there were greater cooperation among Asian ethnic groups and with the police, even more offenders could be arrested. "Some Asians still have a guest mentality, and they don't complain."

Resources

STUDY GUIDES INTRODUCE U.S. GOVERNMENT

Two text books provide an elementary introduction to the American government, and would be useful for some refugees contemplating naturalization.

It's Our Government and Government at Work, written for a second-to-fourth-grade level, would be appropriate for ESL classes.

Both books, with teacher's guides, are available for $27.80 from Janus Books, 2501 Industrial Parkway West, Hayward, CA 94545. Also available are classroom sets, and one ESL teacher's guide, for $49.70.

IRAC PUBLISHES CONVENTION REPORT

The Indochina Resource Action Center (IRAC) has published a report summarizing the recommendations from the Indochinese Community Leadership Convention (see box, page 5).

The report is available for $7.00 from IRAC, 1118 22nd Street, NW, Suite 300, Washington, DC 20003. (202) 223-8866.

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10 I certify that the statements made by me above are correct and complete.

Wells C. Klein
Publisher

ASYLUM CASES FILED WITH INS DISTRICT DIRECTORS
IN FY 86

NATIONALITY*	Cumulative Received	Cumulative Granted	Cumulative Denied	Pending as of 9/30/86	NATIONALITY*	Cumulative Received	Cumulative Granted	Cumulative Denied	Pending as of 9/30/86.
TOTAL	18,889	3,481	7,882	99,408					
AFGHANISTAN	195	48	63	123	LEBANON	240	4	231	118
CHINA (PEOPLE'S REP.)	47	18	10	32	LIBERIA	39	5	18	20
CUBA	3,043	139	649	89,606	LIBYA	123	41	26	67
CZECHOSLOVAKIA	60	22	9	38	NICARAGUA	7,111	1,082	2,873	3,926
EGYPT	32	0	18	22	PAKISTAN	62	2	33	42
EL SALVADOR	2,183	55	1,149	997	PHILIPPINES	93	9	75	43
ETHIOPIA	391	175	202	122	POLAND	965	373	176	346
GUATEMALA	471	5	209	245	ROMANIA	215	127	42	83
HAITI	176	2	514	2,042	SIERRA LEONE	1	0	0	12
HONDURAS	135	0	28	128	SOMALIA	86	16	46	44
HUNGARY	105	22	24	69	SOUTH AFRICA	46	10	22	30
INDIA	116	0	70	65	SRI LANKA	24	1	23	27
IRAN	2,236	1,172	828	744	SYRIA	113	50	38	74
IRAQ	53	8	36	28	USSR	36	33	10	17
ISRAEL	11	0	5	14	UGANDA	41	6	45	31
JORDAN	13	0	6	11	YUGOSLAVIA	127	4	48	62
LAOS	17	2	7	12					

* Nationalities with fewer than 10 applications pending are omitted from this chart, but are reflected in the total.

Note: This chart is based on data for asylum cases filed with INS district directors only. Many applications for asylum are filed with immigration judges, particularly in the context of deportation proceedings. The Office of the Chief Immigration Judge is developing a data system, but asylum statistics are not now available.

Source: Immigration and Naturalization Service

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1986 STATISTICAL ISSUE

This is our special year-end statistical issue. In addition to 12 tables and graphs on international and domestic refugee programs, the issue includes the index for Refugee Reports for Volume VII, 1986. The first two pages are devoted to brief updates of current refugee news.

° The State Department announced in October that it has revised qualifications for the two refugee processing priorities that are based on family relationships. As of October 1, 1986, processing priority 3 (P-3) will be limited to spouses, unmarried sons and daughters, and parents of citizens or otherwise legal residents of the United States. Married children, grandparents, unmarried siblings, and unmarried minor grandchildren have been downgraded from P-3 to P-5.

The Bureau for Refugee Programs in the State Department has indicated that the processing revisions will make P-3 more consistent with the "immediate family" category in U.S. immigration law. The new streamlined P-3 provisions may also allow for additional processing of refugees in the P-4 category, according to the State Department. Refugees in the P-4 processing category include those with previous ties to the United States, such as former employees of U.S. foundations, voluntary agencies, or business firms (see chart on page 3).

Although some procedural details are still being discussed, one State Department official indicated that, by and large, refugees who have registered with the United States before October 15, 1986 will be processed under the old guidelines. Refugees who register after that date will be processed under the new guidelines.

The impact of these changes is expected to be most significant in the Near East/South Asia region, where processing is limited to P-1 to P-4. Also affected are the lowland Lao in Thailand, the only Southeast Asian refugee group for whom P-5 processing is not currently available.

IN THIS ISSUE:

● Statistics

° Refugee Processing Priorities by Region............3
° Indochinese Refugee Camp Populations................4
° Indochinese Refugee Program, FY 84-86 and Cumulative since April 75........5
° FY 86 Southeast Asian Refugee Departures to Resettlement Countries, and Cumulative since April 75......5
° U.S. Admissions Ceilings and Arrivals, 75-87........6
° Southeast Asian Refugee Arrivals in the U.S. by Nationality, FY 75-86......7
° Refugee Arrivals in the U.S. by Sponsoring Agency..8
° Southeast Asian Refugees: Estimated Cumulative State Populations from 75-86.....9
° FY 83-86 Refugee Arrivals by Citizenship and State of Resettlement.............10
° Estimated Costs of U.S. Refugee Program...........12
° U.S. Contributions to International Refugee Assistance FY 86 and 87........13
° Asylum Cases Approved and Denied by District Directors June 83-Sept. 86..........14

● Resources

° Index, Refugee Reports Vol. VII (1986)...........15

° Persons in the United States under extended voluntary departure (EVD) will be eligible for legalization under provisions of the Immigration Reform and Control Act of 1986, an Immigration and Naturalization Service (INS) official told Refugee Reports. EVD is a temporary stay of deportation granted at the Attorney General's discretion. "Those who, on an individual case-by-case basis, were placed on extended voluntary departure prior to January 1, 1982, will be eligible to apply for amnesty," said Rick Norton, INS associate commissioner for examinations.

Under legalization, aliens who can prove they entered the United States illegally prior to January 1, 1982, and can demonstrate continuous residence in the United States, are eligible for temporary resident status and work authorization. After 18 months, they can adjust their status to that of permanent resident alien. INS will begin accepting legalization applications in May.

Estimates on the number of persons who may be eligible for legalization range between 500,000 and 2 million. There may be as many as 80,000 persons in the United States under EVD, INS sources said, but it is not known how many might be eligible for legalization.

° The first public legal code for Soviet emigration is due to go into effect January 1. The regulations limit emigration to family reunification cases. Under the regulations, would-be emigrants will have to show invitations from immediate relatives living outside the Soviet Union.

When the regulations were first announced on November 8, press commentary saw the move as a positive step in expediting emigration applications. However, it appears as though the new regulations will do little to reduce the long waiting periods for most "refuseniks" who do not have immediate family relatives abroad. Former Soviet dissident Natan Sharansky told a news conference, "This is a serious step backward and it will close even tighter the doors of the Soviet Union."

° A group of 209 Montagnard refugees arrived in North Carolina on November 25, the latest and perhaps last stop on a journey that began more than seven years ago in their native highlands of Vietnam. The group will resettle in the three cities of Greensboro, Raleigh, and Charlotte, with initial resettlement assistance from Lutheran Family Services of North Carolina.

The Montagnards, who call themselves Dega, fought alongside U.S. Army Special Forces during the Vietnam War, and continued to defend their mountain homelands until 1978. At that time, according to news reports, about 4,000 Montagnards escaped to Laos, where they continued to fight the Vietnamese communists for another two years.

From 1980 to 1985, the Dega were harshly used by the Khmer Rouge in their fight against Vietnamese troops occupying Cambodia. They were held in an isolated, heavily-armed camp until February 1985, when a Vietnamese attack enabled them to flee into Thailand. Of the slightly more than 200 survivors, only 17 women remained and fewer than 30 children.

Within a few months, the Montagnard leaders had made contact with former friends in the Special Forces. The group eventually was accepted for U.S. resettlement and in June 1986 the Montagnards flew to the Bataan refugee processing center in the Philippines for a six-month training program in English language and cultural orientation.

° The Office of Refugee Resettlement approved $4,158,064 in comprehensive discretionary social service grants at the end of FY 86. The purpose of the grants, allocated to 16 states and the District of Columbia, is to encourage analysis of service delivery and identification of unmet needs and to provide funding for initiatives to meet those needs.

Meetings and Conferences

° A symposium titled "Journey: Central American Migration" will take place February 5 and 6 in Seguin, Texas. U.S. government officials, academics, lawyers, and activists from across the political spectrum will speak on the reasons for Central American migration and the impact of migration on the United States and Central America. For information, contact Juan Rodriguez, Texas Lutheran College, Seguin, Texas 78155. (512) 379-4161 ext. 331.

REFUGEE PROCESSING PRIORITIES BY REGION, AS OF DECEMBER 1986

	P-1	P-2	P-3	P-4	P-5	P-6
AFRICA						
Africans in Sudan	X	X	X	X	X	
African Elsewhere in Africa	X	X	X	X	X	X
Africans in Europe	X	X	X	X	X	
EAST ASIA						
Cambodians	X	X	X	X	X	
Highland Lao	X	X	X	X	X	
Lowland Lao	X	X	X	X		
Vietnamese	X	X	X	X	X	a/
EASTERN EUROPE/SOVIET UNION	X	X	X	X	X	X
NEAR EAST/SOUTH ASIA	X	X	X	b/		
LATIN AMERICA/CARIBBEAN						
Cubans	c/					
Non-Cubans	X	X	X	X		

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a/ P-6 processing for Vietnamese is available for only a small number of land Vietnamese (refugees fleeing overland across Cambodia) in Thailand, who can establish "category" claims, showing they belong to groups that were subject to persecution in Vietnam. Current categories include Buddhist monks, Catholics, ethnic Chinese, Montagnards, and Chams (a Muslim ethnic minority).

b/ The P-4 definition has been expanded for the Near East and South Asia region to include special categories for victims of religious persecution (such as Iranian Baha'is, Jews, Christians and Zoroastrians).

c/ P-1 processing is available for current and former political prisoners in Cuba who have been jailed for ten or more years.

U.S. Refugee Processing Priorities:

PRIORITY ONE, COMPELLING CONCERN/INTEREST: Exceptional cases (a) of refugees in immediate danger of loss of life and for whom there appears to be no alternative to resettlement in the United States; or (b) of refugees of compelling concern to the United States, such as former or present political prisoners and dissidents.

PRIORITY TWO, FORMER U.S. GOVERNMENT EMPLOYEES: Refugees employed by the U.S. government for at least one year prior to the claim for refugee status. This category also includes persons who were not official U.S. government employees but who for at least one year were so integrated into U.S. government offices as to have been in effect and appearance U.S. government employees.

PRIORITY THREE, FAMILY REUNIFICATION: Refugees who are spouses, unmarried sons, unmarried daughters, or parents of persons in the United States. (The status of the anchor relative in the United States must be one of the following: U.S. citizen, lawful permanent resident alien, refugee, or asylee.)

PRIORITY FOUR, OTHER TIES TO THE UNITED STATES: (A) Refugees employed by U.S. foundations, U.S. voluntary agencies or U.S. business firms for at least one year prior to the claim for refugee status: and (b) refugees trained in the United States or abroad under U.S. auspices.

PRIORITY FIVE ADDITIONAL FAMILY REUNIFICATION: Refugees who are (a) married sons or married daughters of persons in the United States; (b) unmarried siblings of persons in the United States; (c) married siblings of persons in the United States; (d) grandparents of persons in the United States: (e) grandchildren of persons in the United States; or (f) more distantly related individuals who are part of the family group and dependent on the family for support. (The status of the anchor relative in the United States must be one of the following: U.S. citizen, lawful permanent resident alien, refugee, or asylee.)

PRIORITY SIX, OTHERWISE OF NATIONAL INTEREST: Other refugees in specified regional groups whose admission is in the national interest.

Source: Bureau for Refugee Programs, U.S. Department of State.

INDOCHINESE REFUGEE CAMP POPULATIONS, BY ETHNIC GROUP, AS OF SEPTEMBER 1986

General. Refugees in all camps/countries in Southeast and East Asia:

Lao	31,427
Highlanders	60,094
Khmer	28,260
Vietnamese	41,613
TOTAL	161,394*

Country	Camp	Lao	Highland	Khmer	Vietnamese	Total
Thailand	Ban Nam Yao	0	1,668			1,668
	Ban Vinai	339	41,870			42,209
	Chiang Kham	112	13,111			13,223
	Kab Cherng			1,105		1,105
	Khao I Dang			24,235		24,235
	Nakhon Phanom	27,416	852			28,268
	Phanat Nikhom					
	1st Asylum	1,090	107	974	6,035	8,206
	ESL/CO	715	2,372	612	0	3,699
	Transit Centers	655	114	816	744	2,329
	SUBTOTAL	30,327	60,094	27,742	6,779	124,942
Malaysia	Pulau Bidong				5,580	5,580
	KL Transit Center/Sungei Besit				2,320	2,320
	SUBTOTAL				7,900	7,900
Singapore	Hawkins Road				140	140
Indonesia	Galang 1st Asylum				4,286	4,286
	Galang RPC				621	621
	Sedanu				66	66
	Others				59	59
	SUBTOTAL				5,032	5,032
Philippines	1st Asylum Camps				3,021	3,021
	Bataan RPC	1,100		518	8,359	9,977
	SUBTOTAL	1,100		518	11,380	12,998
Hong Kong					8,386	8,386
Macau					622	622
Japan					918	918
Korea					287	287
Taiwan					169	169
GRAND TOTAL		31,427	60,094	28,260	41,613	161,394

* Does not include 163 ODP refugees in transit.

INDOCHINESE REFUGEE PROGRAM
FY 84, FY 85, FY 86, AND CUMULATIVE SINCE APRIL 1975

ARRIVALS IN SOUTHEAST ASIA	FY 84	FY 85	FY 86	Cumulative
Total Boat	26,097	23,815	20,592	644,711
Total Land	18,082	17,870	17,016	587,040
Total Direct (includes ODP)	28,340	26,793	14,371	496,376
Total Arrivals	72,519	68,478	51,976	1,728,127
RESETTLEMENT IN THE UNITED STATES				
Vietnamese: Boat and Land	18,121	24,232	21,916	365,050
Direct to U.S. 1975	0	0	0	123,000
Direct (ODP)	6,697	1,225	880	22,323
Subtotal	24,818	25,457	22,796	510,373
Khmer	19,851	138,448	19,097	
Lao	4,538	3,472	9,201	101,874
Highlanders	2,753	1,944	3,668	60,353
Total Departures to the U.S.	51,960	49,970	45,454	811,048
RESETTLEMENT IN THIRD COUNTRIES				
Direct to PRC 1977-1979	0	0	0	263,000
Direct (ODP)	15,632	12,909	9,512	64,023
From First Asylum and RPC's	22,716	17,625	18,101	418,868
Total Departures to Other Countries	38,348	30,534	27,613	745,891
TOTAL RESETTLED IN U.S. AND 3RD COUNTRIES	90,308	80,504	74,280	1,556,868
ADDITIONAL DEPARTURES				
Voluntary Repatriation	282	300	88	4,541
Voluntary Relocation/Other	329	195	182	43,840
Total Additional Departures	611	495	270	48,381

SEPT. 30, 1986 POPULATION:		
Indochinese Refugees in First Asylum		147,038
Indochinese Refugees/Dependents in ESL/CO Training		
Bataan	9,977	
Galang	621	
Phanat Nikhom	3,699	
Total		14,297
ODP Refugees in Transit in Bangkok		163
Total Indochinese Refugee Camp Population September 30, 1986		161,498

Total Indochinese Refugee Camp Population on September 30, 1985: 176,265

Total number of Indochinese admitted into the U.S. in non-refugee status this fiscal year is: 5,000 (537 first asylum/4,463 ODP)

Source: Bureau for Refugee Programs/U.S Department of State

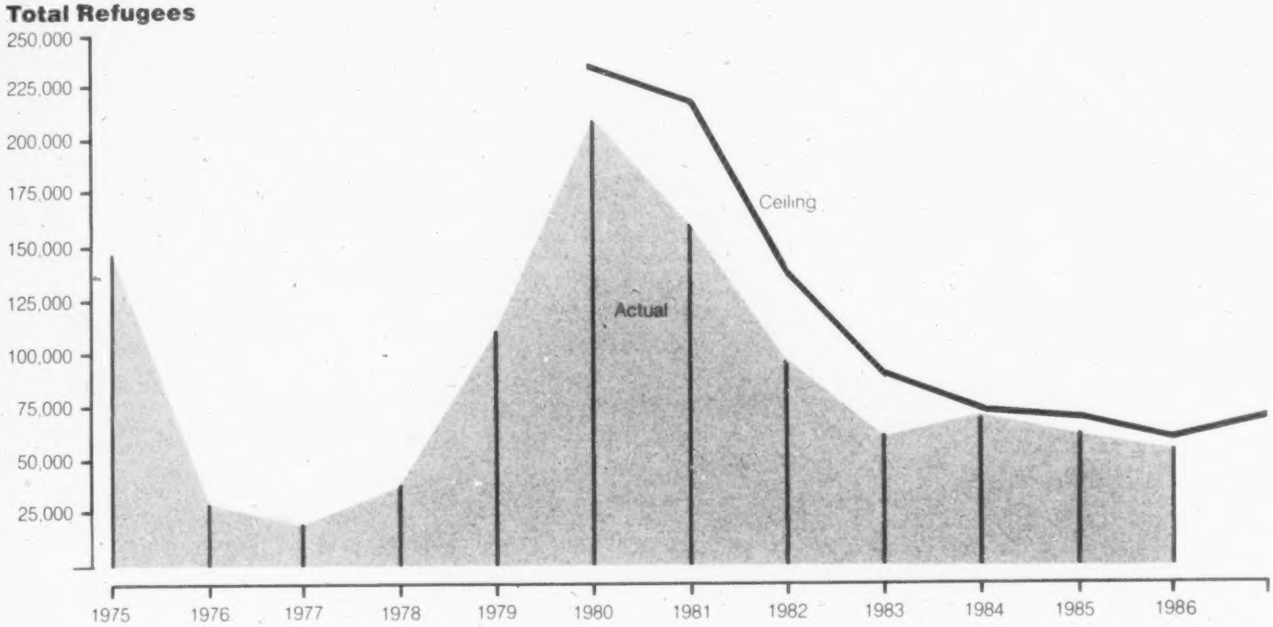
SOUTHEAST ASIAN REFUGEE DEPARTURES TO RESETTLEMENT COUNTRIES, FY 86, CUMULATIVE SINCE APRIL 1975

RESETTLEMENT COUNTRY	FY 86		APRIL 1975 THROUGH SEPT. 1986	
	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL
AUSTRALIA	8,806	12.0%	112,410	7.2%
BELGIUM	153	.2	6,888	.4
CANADA	9,927	13.6	129,872	8.3
CHINA	0	--	265,778	17.0
DENMARK	207	.2	3,770	.2
FRANCE	2,850	3.9	112,099	7.2
F. REP. OF GERMANY	1,090	1.5	30,468	1.9
ITALY	86	.1	3,610	.2
JAPAN	384	.5	1,950	.1
NETHERLANDS	321	.4	6,518	.4
NEW ZEALAND	738	1.0	7,693	.5
NORWAY	354	.5	5,696	.4
SWEDEN	276	.4	4,365	.3
SWITZERLAND	104	.1	10,057	.6
UNITED KINGDOM	844	1.0	19,944	1.2
UNITED STATES	45,454	62.2	810,885	52.0
OTHER	1,473	2.0	24,763	1.5
TOTAL	73,067	100.0 b/	1,556,766	100.0 b/

b) Totals may not equal 100 percent because of rounding off

Source: Bureau for Refugee Programs/U.S. Department of State

U.S. REFUGEE ADMISSIONS CEILINGS AND ACTUAL ARRIVALS FY 75-87



	Fiscal Year												
	1975	**1976**	**1977**	**1978**	**1979**	**1980**	**1981**	**1982**	**1983**	**1984**	**1985**	**1986**	**1987**
Actual	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440	
Ceiling						231,000	217,000	140,000	90,000	72,000	70,000	67,000	70,000

	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83a/	FY 84b/	FY 85b/	FY 86	FY 87	TOTAL
AFRICA						955	2,119	3,326	2,648	2,747	1,953	1,315		14,669
(CEILINGS)						**1,500**	**3,000**	**3,500**	**3,000**	**2,750**	**3,000**	**3,500**	**3,500**	
ASIA	135,000	15,000	7,000	20,574	76,521	163,799	131,139	73,522	39,408	51,960	49,970	45,454		803,548
						169,200	**168,000**	**96,000**	**64,000**	**52,000**	**50,000**	**45,500**	**40,500**	
EASTERN EUROPE	1,947	1,756	1,755	2,245	3,393	5,025	6,704	10,780	12,083	10,285	9,350	8,713		72,841
						5,000	**4,500**	**11,000**						
SOVIET UNION	6,211	7,450	8,191	10,688	24,449	28,444	13,444	2,756	1,409	715	640	787		105,101
						33,000	**33,000**	**20,000**	**15,000**	**11,000**	**10,000**	**9,500**	**10,000**	
LATIN AMERICA	3,000	3,000	3,000	3,000	7,000	6,662	2,017	602	668	160	138	173		29,298
						20,500	**4,000**	**3,000**	**2,000**	**1,000**	**1,000**	**3,000**	**4,000**	
NEAR EAST AND SOUTH ASIA						2,231	3,829	6,369	5,465	5,246	5,994	5,998		34,833
						2,500	**4,500**	**6,500**	**6,000**	**5,250**	**6,000**	**6,000**	**8,000**	
UNALLOCATED RESERVE													4,000c/	
TOTAL	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440		1,060,290
						231,700	**217,000**	**140,000**	**90,000**	**72,000**	**70,000**	**67,000**	**70,000**	

a/ From FY 83 on, the Eastern Europe ceiling was combined with the ceiling for the Soviet Union.

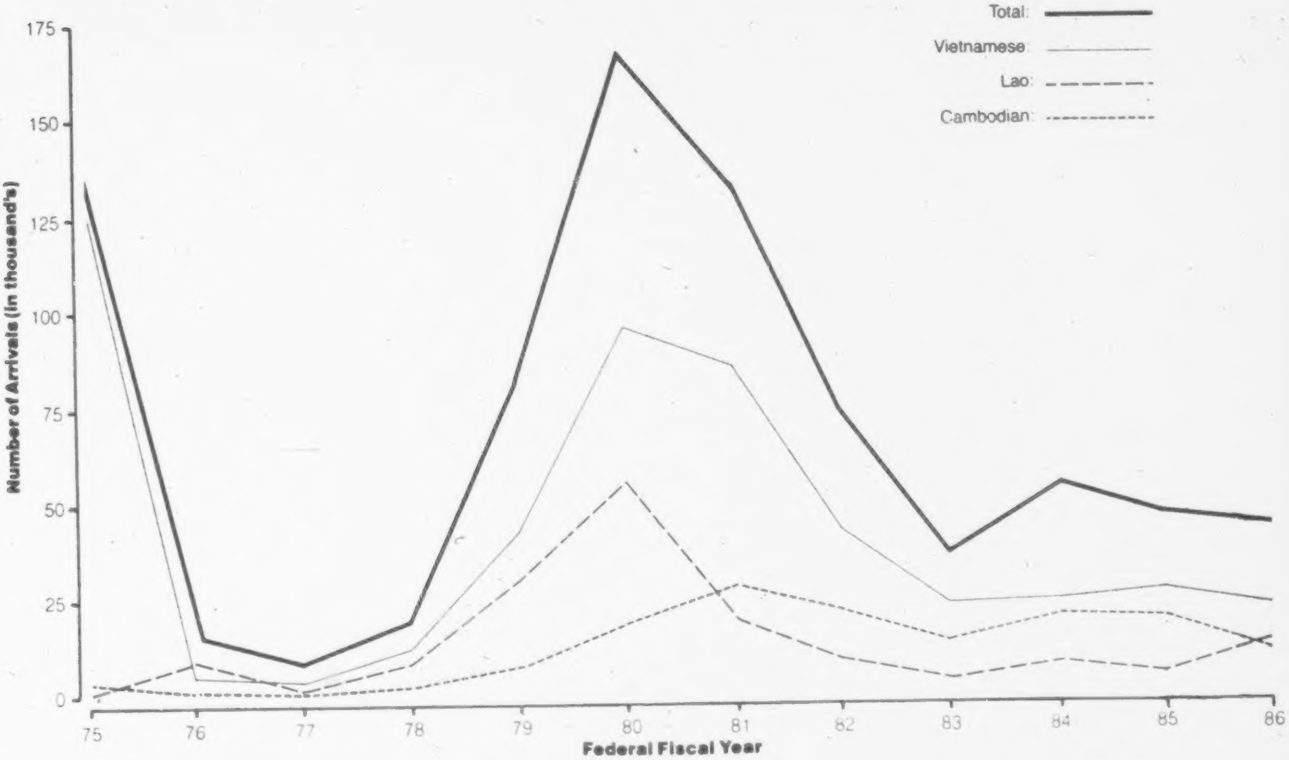
b/ This chart shows the adjusted regional ceilings that were established at mid-year consultations in FY 84 and FY 85. The overall annual ceilings did not change.

c/ For the first time, the FY 87 admissions ceiling includes an unallocated reserve for "contingent refugee admission needs," to be used only after consultation with Congress, and only to the extent that private sector funding is available to support admissions using the reserve.

NOTE: Figures in shaded areas represent annual ceilings.

Source: Bureau for Refugee Programs/U.S. Department of State.

SOUTHEAST ASIAN REFUGEE ARRIVALS IN THE UNITED STATES BY NATIONALITY, FY 75-86



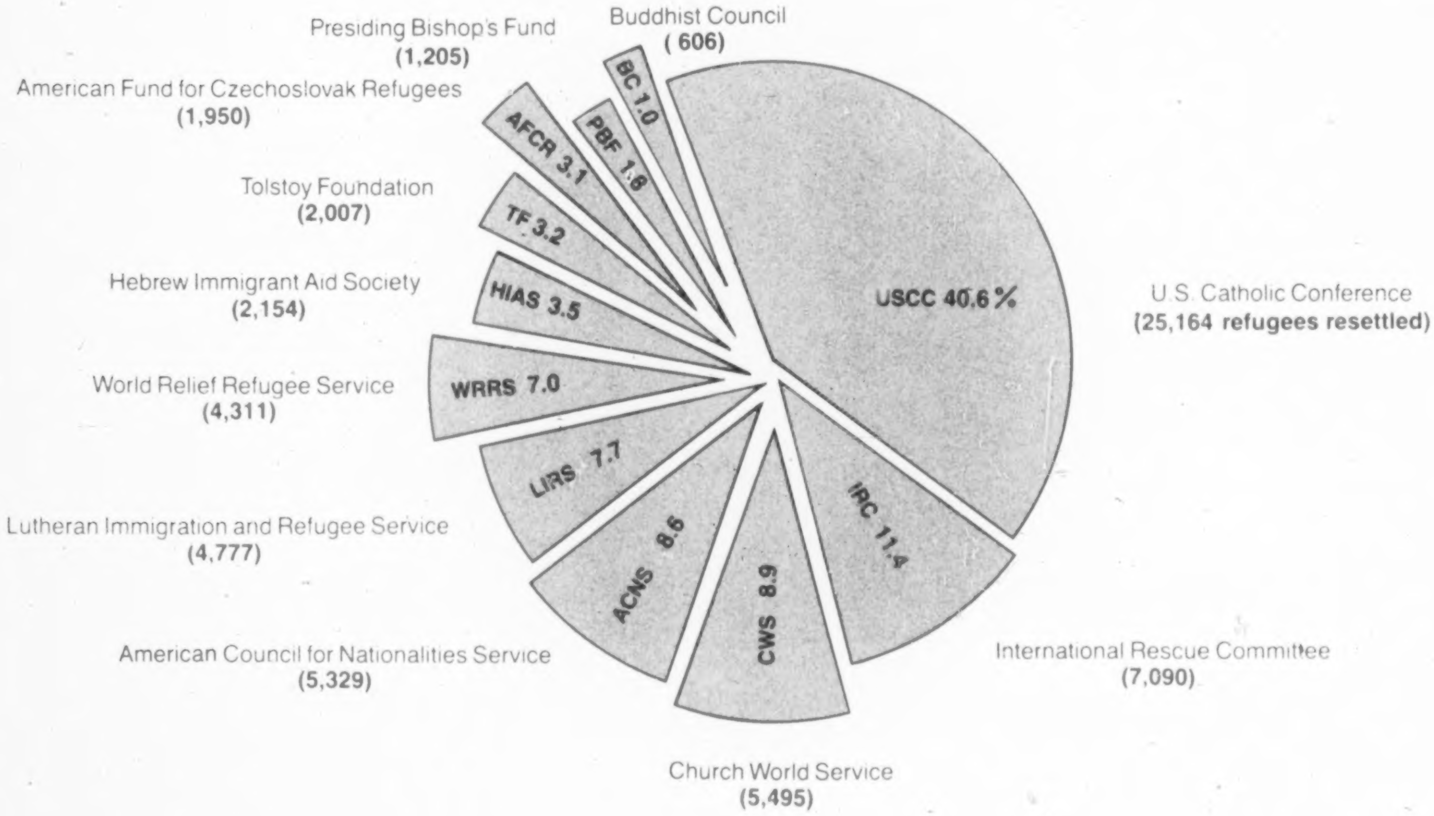
Federal Fiscal Year	Country of Nationality			Total a/
	Cambodia	Laos	Vietnam	
1986	10,054	12,894	22,443	45,391
1985	19,131	5,181	25,209	49,528
1984	19,849	7,224	24,927	52,000
1983	13,114	2,835	23,459	39,408
1982	20,234	9,437	43,656	73,327
1981	27,100	19,300	86,100	132,500
1980	16,000	55,500	95,200	166,700
1979	6,000	30,200	44,500	80,700
1978	1,300	8,000	11,100	20,400
1977	300	400	1,900	2,600
1976 b/	1,100	10,200	3,200	14,500
1975	4,600	800	125,000	130,400
TOTAL	138,800	162,000	506,700	807,500

a/ Totals may not agree with U.S. State Department annual arrival data because they are based on different data files.

b/ Includes transition quarter.

Source: Linda W. Gordon, Chief Statistician, ORR, "Southeast Asian Refugee Migration to the United States," September 1984, and Office of Refugee Resettlement, U.S. Department of Health and Human Services.

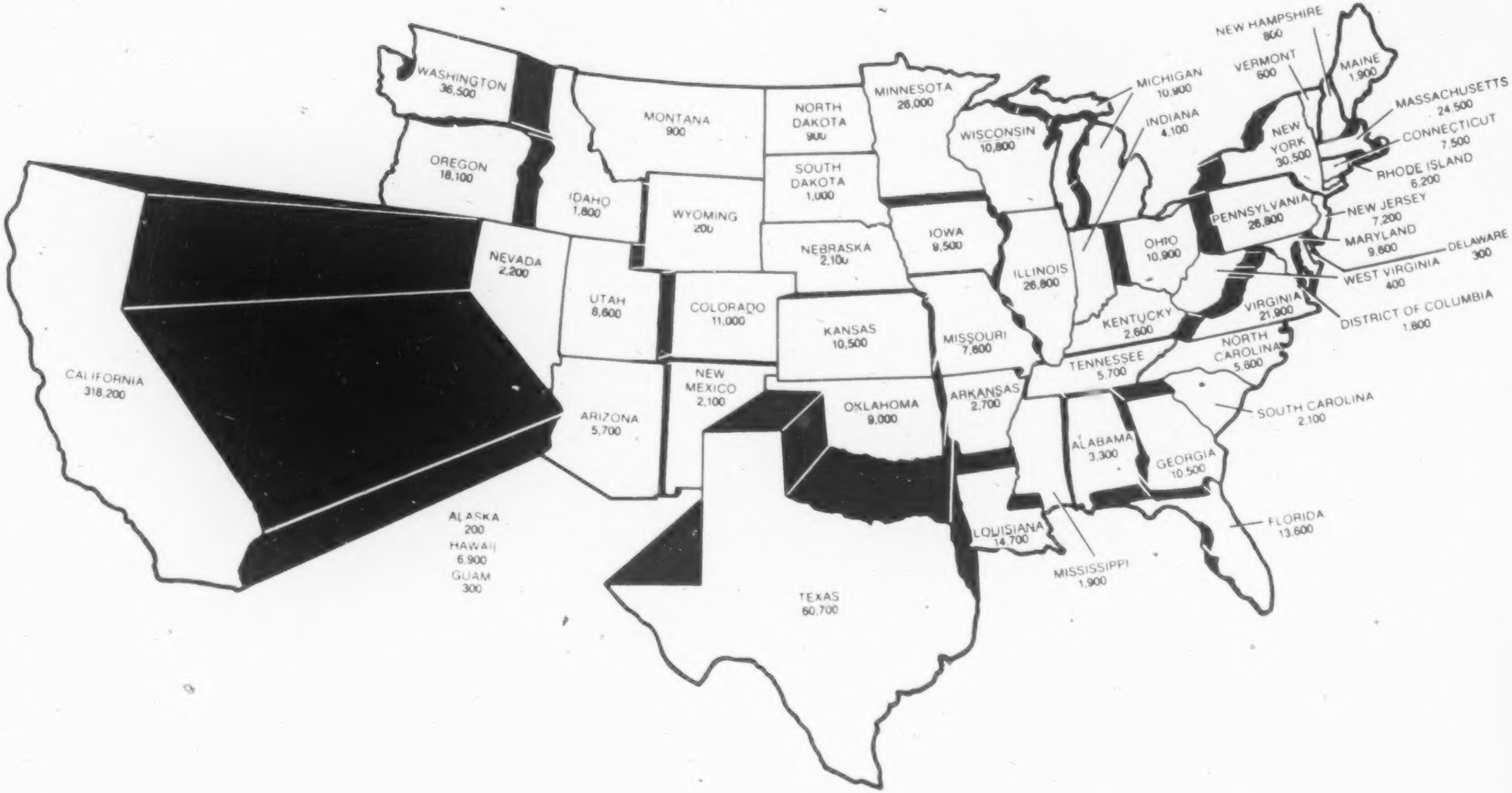
FY 86 REFUGEE ARRIVALS IN THE UNITED STATES BY SPONSORING AGENCY



*NOTE: Numbers not shown in the chart include the Iowa Refugee Service Center (336), the Idaho Voluntary Resettlement Agency (139) and Unknown/None (1,022).

Source: Office of Refugee Resettlement, U.S. Department of Health and Human Services.

SOUTHEAST ASIAN REFUGEES: ESTIMATED CUMULATIVE STATE POPULATIONS a/ INCLUDING ENTRIES FROM 1975 THROUGH SEPTEMBER 1986


WASHINGTON 36,500
OREGON 18,100
CALIFORNIA 318,200
IDAHO 1,800
NEVADA 2,200
MONTANA 900
WYOMING 200
UTAH 8,600
ARIZONA 5,700
COLORADO 11,000
NEW MEXICO 2,100
NORTH DAKOTA 900
SOUTH DAKOTA 1,000
NEBRASKA 2,100
KANSAS 10,500
OKLAHOMA 9,000
TEXAS 60,700
MINNESOTA 26,000
IOWA 9,500
MISSOURI 7,600
ARKANSAS 2,700
LOUISIANA 14,700
WISCONSIN 10,800
ILLINOIS 26,800
MICHIGAN 10,900
INDIANA 4,100
OHIO 10,900
KENTUCKY 2,600
TENNESSEE 5,700
MISSISSIPPI 1,900
ALABAMA 3,300
GEORGIA 10,500
FLORIDA 13,600
SOUTH CAROLINA 2,100
NORTH CAROLINA 5,600
VIRGINIA 21,900
WEST VIRGINIA 400
DISTRICT OF COLUMBIA 1,800
MARYLAND 9,600
DELAWARE 300
PENNSYLVANIA 26,800
NEW JERSEY 7,200
NEW YORK 30,500
RHODE ISLAND 6,200
CONNECTICUT 7,500
MASSACHUSETTS 24,500
VERMONT 600
NEW HAMPSHIRE 800
MAINE 1,900
ALASKA 200
HAWAII 6,900
GUAM 300

a/ Adjustments for secondary migration were last incorporated into these estimates as of 9/30/85. New adjustments for migration through FY 1986 have not been calculated. All totals rounded to the nearest hundred.

b/ Arrival figures for the District of Columbia are overstated because they are based on the address of the sponsoring organization. Most of those persons are thought to settle directly in nearby Maryland or Virginia.

Source: Office of Refugee Resettlement/U.S. Department of Health and Human Services

REFUGEE ARRIVALS BY COUNTRY OF CITIZENSHIP AND

BY COUNTRY

State	Cambodia	Laos	Vietnam	Czechoslovakia	Hungary	Poland
Alabama	273	177	483	5	3	35
Alaska	4	37	55	0	0	19
Arizona	596	151	2,406	26	7	187
Arkansas	31	204	293	8	4	94
California	15,407	8,679	35,261	1,101	427	2,133
Colorado	509	416	1,177	76	23	115
Connecticut	1,036	453	595	75	188	509
Delaware	0	7	47	0	2	7
District of Columbia	236	108	517	23	24	126
Florida	995	394	2,267	99	124	406
Georgia	1,622	458	1,666	43	43	63
Hawaii	72	279	826	6	2	4
Idaho	256	167	270	270	16	245
Illinois	2,750	1,146	2,598	203	82	1,559
Indiana	224	154	432	31	21	140
Iowa	522	763	847	11	18	113
Kansas	379	326	1,803	15	0	26
Kentucky	424	60	561	0	0	21
Louisiana	540	335	2,192	11	0	78
Maine	640	24	131	10	1	234
Maryland	1,054	231	1,242	103	55	305
Massachusetts	4,871	571	3,043	498	12	300
Michigan	172	372	1,071	55	33	947
Minnesota	2,324	2,104	1,942	44	34	245
Mississippi	3	11	446	10	2	9
Missouri	701	386	1,250	152	105	358
Montana	6	58	47	7	0	12
Nebraska	93	68	238	28	10	161
Nevada	126	90	512	12	14	115
New Hampshire	329	32	54	11	2	23
New Jersey	252	101	1,520	132	69	752
New Mexico	277	146	308	8	3	41
New York	2,908	629	4,591	407	354	3,123
North Carolina	1,361	245	697	17	24	144
North Dakota	127	24	93	91	32	87
Ohio	1,598	452	820	72	114	163
Oklahoma	462	263	1,346	8	1	83
Oregon	805	633	1,763	13	12	48
Pennsylvania	2,758	456	2,931	97	106	759
Rhode Island	1,070	482	165	0	48	62
South Carolina	94	45	199	0	8	11
South Dakota	34	43	101	22	37	101
Tennessee	1,160	693	584	20	3	93
Texas	4,975	2,075	9,250	187	72	913
Utah	1,679	307	861	205	2	133
Vermont	225	15	18	70	3	21
Virginia	2,035	525	2,541	30	28	149
Washington	4,095	1,516	3,268	90	166	477
West Virginia	16	19	28	8	6	17
Wisconsin	204	1,353	364	23	9	156
Wyoming	0	14	14	3	5	3
Guam	0	0	31	0	0	0
Other and Unknown	0	0	0	0	0	0
TOTAL	62,330	28,297	95,766	4,436	2,354	15,925

[a] State totals may include other countries of citizenship not shown, generally countries with small

Note: Figures for FY 86 are based on documents from the Refugee (formerly ACVA) Data Center, ICM,
October 15, 1986 and may not include information on all refugees in the categories reported.

Source: Office of Refugee Resettlement, U.S. Department of Health and Human Services

ATE OF INITIAL RESETTLEMENT FY 83 THROUGH FY 86

CITIZENSHIP

Romania	USSR	Ethiopia	Afghanistan	Iran	Iraq	Total[a]
21	5	56	36	20	0	1,114
10	1	0	7	19	0	152
296	7	304	43	87	1	4,111
7	1	0	1	9	13	665
4,334	975	1,738	3,349	5,295	610	79,209
40	15	110	154	88	3	2,726
282	56	41	57	70	5	3,367
8	1	2	11	11	0	96
46	4	403	144	78	0	1,709
322	58	208	99	225	2	5,199
71	14	278	215	158	2	4,633
2	0	2	28	0	0	1,221
86	4	3	0	16	0	1,333
1,887	179	370	179	258	617	11,828
76	10	26	46	38	7	1,205
11	3	11	3	23	0	2,325
17	1	10	49	34	0	2,662
45	2	46	33	20	1	1,213
17	3	20	34	28	0	3,258
6	3	0	190	44	0	1,283
187	42	417	247	441	7	4,331
82	245	164	50	167	14	10,017
794	36	153	43	97	940	4,713
143	30	255	91	81	0	7,293
7	0	11	4	8	0	511
169	19	335	98	51	2	3,626
4	0	7	5	1	0	147
17	0	5	139	5	1	765
23	9	146	70	151	6	1,273
7	0	1	10	9	0	478
333	94	144	241	181	13	3,832
19	2	11	30	20	0	865
3,102	1,445	540	1,770	888	24	19,781
64	4	48	62	27	0	2,693
122	0	42	0	13	3	634
508	37	198	37	90	7	4,096
52	1	20	20	122	6	2,384
487	13	101	60	81	0	4,016
281	145	229	89	134	13	7,998
7	11	8	1	10	0	1,854
16	0	9	19	16	0	417
72	0	87	24	8	2	531
29	10	56	66	57	20	2,791
617	50	901	353	723	54	20,170
43	5	1	9	63	2	3,310
24	0	2	0	7	0	385
62	8	190	1,094	222	32	6,916
220	17	316	146	139	3	10,453
8	0	1	8	7	0	118
14	14	36	35	35	0	2,243
0	0	0	30	1	0	70
0	0	0	0	0	0	31
2	1	0	0	0	0	3
15,099	3,580	8,062	9,529	10,376	2,310	258,064

numbers of arrivals.
d other federal agencies available as of

ESTIMATED COSTS OF REFUGEE MOVEMENT TO AND RESETTLEMENT IN THE U.S., FY 86 AND FY 87

(dollars in millions)

Agency	FY 86 Program Total Cost	FY 87		
		FY 87 Arrivals	Prior Arrivals	Total
DEPARTMENT OF STATE Bureau for Refugee Programs				
Voluntary Agency Services Overseas	$ 15.8	$15.3	$ ---	$ 15.3
Language/Orientation Programs Overseas	18.8	20.0	---	20.0
Transportation Loans	35.5	36.0	---	36.0
Reception and Placement Agreements	35.2	37.8	---	37.8
Subtotal	105.3	109.1	$ ---	109.1
DEPARTMENT OF HEALTH AND HUMAN SERVICES Office of Refugee Resettlement a/				
State Administered Programs	391.6	68.4	288.1	356.5
Voluntary Agency Programs	3.8	1.0	---	1.0
Preventive Health	8.0	10.4	---	10.4
Federal Administration	6.1	6.1	---	6.1
Subtotal	$409.5	$ 85.9	$288.1	$374.0
Other HHS b/				
Aid to Families with Dependent Children (AFDC)	61.1	---	20.9	20.9
Medicaid	45.3	---	9.5	9.5
Supplemental Security Income	9.5	5.0	5.0	10.0
Subtotal	$115.9	$ 5.0	$ 35.4	$ 40.4
DEPARTMENT OF AGRICULTURE c/				
Food Stamps	$112.7	$ 22.1	$ 92.5	$114.6
GRAND TOTAL	$756.4	$222.1	$416.0	$638.1

a/ Cuban/Haitian entrant funds that are appropriated for use by ORR are included.

b/ FY 87 cost estimates for AFDC and Medicaid were based on an ORR legislative proposal to switch, in FY 87, to an all-Refugee Cash and Medical Assistance program for the first 18 months a refugee is in the country. These estimates cover aid only during the 19-36 month period after a refugee's arrival. ORR's proposal, however, was not included in the continuing resolution or the refugee reauthorization act passed in October 1986. It is expected that FY 87 funding levels for AFDC and Medicaid will be similar to those for FY 86.

c/ Cost estimates only for a refugee's first 36 months in the U.S.

Source: Office of the U.S. Coordinator for Refugee Affairs, Proposed Refugee Admissions and Allocations for Fiscal Year 1987.

U.S. CONTRIBUTIONS TO INTERNATIONAL REFUGEE ASSISTANCE, FY 86 AND FY 87

	FY 86 Estimate as of 8/86	FY 87 Appropriation Request
United Nations High Commissioner for Refugees (UNHCR)		
Africa	45,600,000 a/	43,500,000
East Asia: Indochinese	18,000,000	15,000,000
East Asia: Orderly Departure Program	600,000	600,000
Latin America	11,500,000	14,000,000
Near East and South Asia: Pakistan	15,000,000 b/	17,000,000
UNHCR Subtotal	90,700,000	90,100,000
United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	67,000,000	67,000,000
Refugees Resettling in Israel	11,962,000	25,000,000
International Committee of the Red Cross (ICRC)		
Ordinary Budget	4,500,000	4,500,000
Africa	21,850,000 c/	14,000,000
East Asia: Khmer Relief	1,500,000	1,500,000
Latin America	3,250,000	3,700,000
Near East and South Asia: Pakistan	750,000	1,000,000
Philippines	500,000 d/	
ICRC Subtotal	32,350,000	24,700,000
Other		
Africa: Special Projects	3,580,000	2,975,000
East Asia: Anti Piracy	2,352,000	1,750,000
East Asia: Khmer Relief		
UN Border Relief Operation (UNBRO)	9,500,000	9,500,000
Other	1,000,000	1,000,000
Latin America	1,020,000	--
Near East and South Asia: Pakistan	2,250,000 b/	2,500,000
Intergovernmental Committee for Migration (ICM)	5,000,000	5,400,000
Other Subtotal	24,702,000	23,125,000
Administration e/	7,800,000	8,500,000
SUBTOTAL: REFUGEE PROGRAM	234,514,000	238,425,000
Other Assistance		
Food for Peace (PL-480, Title II) f/	150,000,000	150,000,000
GRAND TOTAL	384,514,000	388,425,000

a/ Includes $3 million from the Emergency Refugee and Migration Assistance Fund (ERMA).

b/ Does not include rupee contributions equivalent to $3.8 million for UNHCR, $725,000 for the ICRC, and $1.45 million for voluntary agencies in FY 86 and similar amounts in FY 87.

c/ Includes $8.5 million from ERMA.

d/ Includes $500,000 million from ERMA.

e/ Portions of these funds are associated with the costs of the U.S. refugee admissions program.

f/ Estimate as of 8/13/86.

Source: Office of the U.S. Coordinator for Refugee Affairs, Proposed United States Refugee Admissions and Allocations for Fiscal Year 1987.

ASYLUM CASES FILED WITH INS DISTRICT DIRECTORS, APPROVED AND DENIED, BY NATIONALITY, JUNE 1983 TO SEPTEMBER 1986

COUNTRY	APPROVAL RATE FOR CASES DECIDED	CASES GRANTED	CASES DENIED
TOTAL	23.4%	18,823	61,717
Iran	60.4%	10,728	7,005
Romania	51.0%	424	406
Czechoslovakia	45.4%	99	119
Afghanistan	37.7%	344	567
Poland	34.0%	1,806	3,495
Hungary	31.9%	137	292
Syria	30.2%	114	263
Ethiopia	29.2%	734	1,774
Vietnam	26.0%	50	142
Uganda	25.3%	75	221
China	21.4%	84	307
Philippines	20.9%	77	291
Somalia	15.6%	74	399
Nicaragua	14.0%	2,602	15,856
Iraq	12.1%	91	655
Yugoslavia	11.0%	31	249
Cuba a/	10.3%	221	1,906
Liberia	8.4%	20	218
Pakistan	6.5%	26	370
El Salvador	2.6%	528	19,207
Honduras	2.5%	6	234
Lebanon	2.4%	34	1,338
Haiti b/	1.8%	30	1,631
Guatemala	.9%	14	1,461
India	.3%	1	311
Egypt	.2%	2	703
Bangladesh	.0%	0	403

a/ There were 89,606 cases from Cuba pending at the end of FY 86.
b/ There were 2,042 cases from Haiti pending at the end of FY 86.

Source: Immigration and Naturalization Service (INS)/U.S. Department of Justice.

Note: Starting in May 1983, the Immigration and Naturalization Service kept asylum statistics by number of cases. Each case, or application, may include more than one individual. From June to September 1982 and October 1982 to April 1983, INS asylum figures were for actual number of individuals. To avoid inconsistency, this chart includes data only since INS data was based on number of cases. Nationalities shown are those which had 100 or more cases decided in any one of the fiscal year periods included. The total includes all nationalities.

This chart is based on data for asylum cases filed with INS district directors only. Many applications for asylum are filed with immigration judges, particularly in the context of deportation proceedings. The Office of the Chief Immigration Judge is developing a data system, but asylum statistics are not now available.

Resources

REFUGEE REPORTS, VOLUME VII INDEX

The following index covers Refugee Reports, Vol. VII (January 24, 1986 to December 12, 1986).

Single copies of back issues of Refugee Reports are available for $2.50 each from the editorial office in Washington, D.C.

AFRICA/AFRICANS
- Administration to Announce Refugee Ceilings for FY 87 10
- African Refugees: Reflections on the African Refugee Problem, Gaim Kibreab (book) 7
- Ethiopia--Is No News Good News? 7
- Feast to Famine: The Course of Africa's Underdevelopment, Bill Rau (book) 7
- Gaining Ground: Refugees in Sudan, Euro Action ACCORD (booklet) 7
- "Human Rights in Uganda: A Season of Hope for its Refugees and Displaced Persons," U.S. Committee for Refugees (issue brief) 6
- Politics and the Ethiopian Famine 1984-1985, Jason Clay and Bonnie K. Holcomb (research report) 7
- Processing of refugees in the Sudan resumes (update) 8
- Refugees are People: An Action Report on Refugees in Africa, Simon E. Smith and Joseph G. Donders (book) 7
- State Department recommends expiration of EVD for Ugandans (update) 8
- Sudan maintains moratorium on refugee resettlement processing, lifts expulsions of ICM and ICMC (update) 1
- Ugandans' extended voluntary departure through July 31, 1986 (update) 5
- USCR informs Ugandans of implications of change in legal status 6

AMERASIANS
- Bill under House Consideration Would Clarify Amerasian Sponsorship 8
- In Our Fathers' Land: Vietnamese Amerasians in the United States, Migration and Refugee Services, U.S. Catholic Conference (report) 3
- Vietnam presents list of Amerasians to United States (update) 9
- Vietnam Suspends ODP Interviewing 1

ARTS
- Grandmother's Path, Grandfather's Way, Lue Vang and Judy Lewis, ed. (book of Hmong oral traditions) 6
- Living Tapestries, Charles Numrich (anthology of Hmong folk tales) 8

ASSISTANCE (SEE PUBLIC ASSISTANCE)

ASYLUM
- Amnesty International USA calls for evenhanded asylum policies (update) 6
- Asylum Cases Filed with District Directors, FY 86 as of February 1986 (statistics) 4
- Asylum Cases Filed with District Directors, FY 86 as of June 30, 1986 (statistics) 9
- Asylum Cases Filed with INS District Directors, Approved and Denied by Nationality, June 1983 to September 1986 (statistics) 12
- Asylum Cases Filed with INS District Directors in FY 86 (statistics) 11
- Asylum procedures guide, Lawyers Committee for Human Rights (videotapes) 8
- Bill for Nicaraguan stay of deportation pending GAO study of displaced Nicaraguans introduced in House (update) 6
- Bill under House Consideration Would Prevent Derived Asylum Status for Immediate Families of Asylees 8
- Court Rules Young Salvadoran Men Not "Social Group" for Purposes of Asylum 11
- East Germany requires aliens to have visas (update) 10
- FAIR Petitions INS to End Work Authorization for Certain Aliens 11
- Federal court rules aliens on bond during immigration proceedings may work (update) 7
- GAO Studies U.S. Asylum Practices 11
- "Guide to Available Resources for Guatemalan Asylum Cases, National Lawyers' Guild (bibliography) 8
- Haitian Lives in United States Marked by Unfairness, Advocates Say 9
- House immigration and refugees subcommittee to consider Moakley/DeConcini and Cuban/Haitian adjustment bills (update) 3
- House instructs Attorney General to release on parole aliens in deportation and exclusion proceedings (update) 10
- House Judiciary Committee defers action on Central American safe haven (update) 7
- INS clarifies Central American asylum approval rates 6
- INS district director will not deport Nicaraguans (update) 5
- INS Oakdale Detention Center to Open 2
- INS opens alien detention center in Oakdale, Louisiana, sets criteria for transferring aliens there (update) 5
- INS Proposes Rule Eliminating 72-Hour Notice to Aliens Facing Deportation 2
- Massachusetts Funds Central American Political Asylum Projects 10
- Moakley/DeConcini bill amended by House refugee subcommittee (update) 4
- New asylum policy being drafted by Justice Department would presume well-founded fear for those fleeing Communist countries (update) 4
- "The New Asylum Seekers," Ninth Sokol Colloquium on International Law, University of Virginia 1
- "Refuge or Asylum--A Choice for Canada?" (international symposium) 5
- Salvadoran EVD Bill Moves through Congress, Similar Bill Introduced for Nicaraguans 8
- Senate ratifies extradition treaty with Great Britain (update) 8
- Supreme Court Considers Standards for Determining Grounds for Asylum 10
- Supreme Court to rule on "well-founded fear" standard for asylum (update) 4

BUDGET
- Admission ceiling for FY 87 projected at 63,000; regional ceilings for FY 86 reduced (update) 3
- Appropriations committee sends foreign aid bill to House, includes full administration request for refugee assistance (update) 8
- Congress Reauthorizes Refugee Act 11
- Deficit-Reduction Law Cuts into Refugee Program 1
- Estimated Costs of Refugee Movement to and Resettlement in the United States, FY 86 and FY 87 (statistics) 12
- House rejects president's proposed FY 87 budget (update) 3
- Move to Rescind Targeted Assistance Sparks Controversy 3
- Proposed FY 87 Budget--Good News, Bad News, or No News for Refugee Program 2
- Reauthorization of the Refugee Act still pending in the Senate (update) 10
- Refugee Programs Face Budget Hurdles 6
- Regional Consultation Reviews Future of Refugee Resettlement 3
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Shake Up at UNHCR Avoids Major UN Cuts 11
- U.S. Contributions to International Refugee Situations, FY 86 and FY 87 (statistics) 12

CAMBODIA/CAMBODIANS
- Groups Help Search for Missing Cambodians 2
- Interviewing "land Vietnamese" at Thailand's Site 2 to begin (update) 1
- Introduction to U.S. Immigration Channels to Be Used in Family Reunification Plan for Cambodians 7
- Letter campaign to urge Reagan to take active role in protecting and reunifying Cambodian families along Thai border (reader exchange) 3
- "Looking for Phantoms: Flaws in the Khmer Rouge Screening Process," Stephen Golub (U.S. Committee for Refugees issue brief) 6
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Program Trains Refugee Mothers in Day Care Management 4
- Refugees Naturalize at High Rates 11
- Report on denial of resettlement to Cambodians at Khao I Dang, U.S. Committee for Refugees (issue brief 3
- Requesting Humanitarian Parole for "Border Khmer" 7
- Resettlement Hopes Fade for Cambodians in Thailand 7
- Review of Cambodians at Khao I Dang rejected for U.S. resettlement completed (update) 2
- Some Cambodians moved from Khao I Dang to Site 7 or Bang Phu (update) 1
- Spirit of Survival, Gail Sheehy (book) 7
- State Department urges Cambodians in U.S. to take appropriate steps to bring close relatives from Thai-Cambodian border (reader exchange) 3
- Thai Officials Say Khao I Dang Will Not Close at End of 1986 10
- Thailand denies allegations of torture in Khao I Dang (update) 6
- Thailand expected to announce Khao I Dang closing, and to allow resettlement processing of family card holders (update) 6
- Thailand reaffirms intention to close Khao I Dang by year's end (update) 11
- Thailand's Site 8 Shelled--12 Killed, Scores Injured 6
- Three Cambodians tortured by Thai soldiers at Khao I Dang (update) 5

CAMPS (REFUGEE) AND REFUGEE PROCESSING CENTERS
- Galang Refugee Processing Center in Indonesia to close (update) 8
- Indochinese Refugee Camp Populations by Ethnic Group as of September 30, 1986 (statistics) 12
- Interviewing "land Vietnamese" at Thailand's Site 2 to begin (update) 1
- Lao soldiers attack village in Thailand killing 35 Lao (update) 7
- "Living in Limbo: The Boat Refugees of Hong Kong and Macao," U.S. Committee for Refugees (issue brief) 6
- Review of Cambodians at Khao I Dang rejected for U.S. resettlement completed (update) 2
- Some Cambodians moved from Khao I Dang to Site 7 or Bang Phu (update) 1
- Thai government allows resettlement processing of Lao in "humane deterrence" camps 2
- Thai Officials Say Khao I Dang Will Not Close at End of 1986 10
- Thailand closes three refugee camps (update) 5
- Thailand denies allegations of torture in Khao I Dang (update) 6
- Thailand expected to announce Khao I Dang closing, and to allow resettlement processing of family card holders (update) 6
- Thailand's Site 8 Shelled--12 Killed, Scores Injured 6
- Three Cambodians tortured by Thai soldiers at Khao I Dang (update) 5

CENTRAL AMERICA/CENTRAL AMERICANS
- Administration to Announce Refugee Ceilings for FY 87 10
- Bill for Nicaraguan stay of deportation pending GAO study of displaced Nicaraguans introduced in House (update) 6
- Court Rules Young Salvadoran Men Not "Social Group" for Purposes of Asylum 11
- The Face of Change in Central America, Mennonite Central Committee (resource packet) 8
- Forced to Move, Renato Camarda (book) 8
- GAO Studies U.S. Asylum Practices 11
- "Guide to Available Resources for Guatemalan Asylum Cases, National Lawyers' Guild (bibliography) 8
- House immigration and refugees subcommittee to consider Moakley/DeConcini and Cuban/Haitian adjustment bills (update) 3
- House Judiciary Committee defers action on Central American safe haven (update) 7
- Human rights information center in El Salvador, CARECEN (resource) 8
- INS clarifies Central American asylum approval rates 6
- INS district director will not deport Nicaraguans (update) 5

- Immigration Reform Bill May Still Reach House Floor 10
- Immigration Reform Bill passes House Judiciary Committee (update) 7
- Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance, Patricia Ruggles and Michael Fix, Urban Institute (study) 3
- Los Angeles City Council reverses its "City of Sanctuary" declaration, passes compromise resolution (update) 2
- Massachusetts Funds Central American Political Asylum Projects 10
- Moakley/DeConcini bill amended by House refugee subcommittee (update) 4
- Salvadoran displaced people to relocate in Argentina (update) 7
- Salvadoran EVD Bill Moves through Congress, Similar Bill Introduced for Nicaraguans 8
- Sanctuary: The New Underground Railroad, Renny Golden and Michael McConnell (book) 8
- Sanctuary Trial Proceeds Slowly 1
- Sanctuary trial reaches final arguments (update) 3
- Six Tucson sanctuary defendants found guilty (update) 5
- This Ground is Holy: Church Sanctuary and Central American Refugees, Ignatius Bau (book) 8
- Tucson sanctuary activists sentenced to probation (update) 7

CIVIL RIGHTS/COMMUNITY RELATIONS
- Civil Rights Commission Issues Report on Anti-Asian Violence 11
- Haitian Lives in United States Marked by Unfairness, Advocates Say 9
- House bill amended to permit undocumented aliens to use federally subsidized housing, if family member is citizen or permanent resident (update) 7
- Law Enforcement Needs of Southeast Asian Refugees Assessed, Strategies Developed 8
- Local Police Departments Grapple with Crime Against Southeast Asian Refugees 8
- A Research Project to Determine the Law Enforcement Needs of the Southeast Asian Refugees in the Year 1995: To Develop Strategies to Meet Those Needs, Stanley L. Knee (report) 8
- Refugees Learn to Flex Political Muscle 11
- Study Finds Miami Cubans Support Police 8
- Two States Assess Anti-Asian Violence 11
- U.S. Commission on Civil Rights study of violence, harassment toward Asians and Americans of Asian descent near completion (update) 2
- Undocumented Aliens Barred from Federal Housing Subsidies 5

CONGRESS
- Administration to Announce Refugee Ceilings for FY 87 10
- Appropriations committee sends foreign aid bill to House, includes full administration request for refugee assistance (update) 8
- Bill for Nicaraguan stay of deportation pending GAO study of displaced Nicaraguans introduced in House (update) 6
- Bill under House Consideration Would Prevent Derived Asylum Status for Immediate Families of Asylees 8
- Congress Looks at Cuban Political Prisoner Admissions to U.S. 10
- Congress Reauthorizes Refugee Act 11
- Congressional joint resolution calls for resumption of Orderly Departure Program (update) 8
- Congressional task force visits Southeast Asia, raises concerns about ODP, Amerasians, reeducation prisoners to Vietnamese (update) 2
- Court finds undocumented aliens eligible for Medicaid (update) 8
- Deficit-Reduction Law Cuts into Refugee Program 1
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- House immigration and refugees subcommittee to consider Moakley/DeConcini and Cuban/Haitian adjustment bills (update) 3
- House instructs Attorney General to release on parole aliens in deportation and exclusion proceedings (update) 10
- House Judiciary Committee defers action on Central American safe haven (update) 7
- House rejects president's proposed FY 87 budget (update) 3
- Immigration Reform Bill May Still Reach House Floor 10
- Immigration Reform Bill passes House Judiciary Committee (update) 7
- Moakley/DeConcini bill amended by House refugee subcommittee (update) 4
- Move to Rescind Targeted Assistance Sparks Controversy 3
- President Reagan expresses support for immigration reform (update) 3
- Reauthorization of the Refugee Act still pending in the Senate (update) 10
- Refugee Programs Face Budget Hurdles 6
- Salvadoran EVD Bill Moves through Congress, Similar Bill Introduced for Nicaraguans 8
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Senate ratifies extradition treaty with Great Britain (update) 8
- Senate ratifies genocide convention (update) 2
- Senate Subcommittee to Hold Mid-Year Refugee Consultation 6
- Shake Up at UNHCR Avoids Major UN Cuts 11
- Would-Be Romanian Emigrants Face Hardships 1

CUBA/CUBANS
- Administration to Announce Refugee Ceilings for FY 87 10
- Against All Hope: The Prison Memoirs of Armando Valladares, Armando Valladares (autobiography) 10
- Atlanta penitentiary conditions criticized by House subcommittee (update) 5
- Congress Looks at Cuban Political Prisoner Admissions to U.S. 10
- Federal government announces grants to reimburse states for costs of incarcerating Mariel Cubans (update) 5
- House immigration and refugees subcommittee to consider Moakley/DeConcini and Cuban/Haitian adjustment bills (update) 3
- New Police Clearance Requirement for Cuban Refugees Adjusting Status 8
- Oakdale Announces Change of "Mission" 11
- Officials Ponder Implementation of Immigration Reform 11
- Processing of Political Prisoners Starts in Cuba 9
- Refugees Learn to Flex Political Muscle 11
- Refugees Naturalize at High Rates 11
- Rep. Pat Swindell clarifies statement on repatriation of imprisoned Mariel entrants (update) 6
- Study Finds Miami Cubans Support Police 8
- Twenty Years and Forty Days/ Life in a Cuban Prison, Jorge Valls (autobiography) 10

ECONOMIC DEVELOPMENT/TECHNICAL ASSISTANCE
- Asian Business and Community News (newsletter) 10
- Bilingual Program Trains Vietnamese Entrepreneurs 10
- A Development Primer, Women's Institute for Housing and Economic Development (handbook) 10
- Ford Foundation Promotes Loans for Refugee Businesses in Haitian and Southeast Asian Communities 9
- If You Mean Business: A Manual for Southeast Asian Refugees, Center for Southeast Asian Refugee Resettlement (handbook) 10
- Programs Provide Small Business Training for Refugees 10
- Refugees Help Rebuild Chicago Neighborhood 5
- Retired Business Executives Counsel Small Business Entrepreneurs 10
- Target: Employment, A Resource Guide to Job-Seeking and Job-Retention Materials, Indiana University (handbook) 10

EDUCATION
- Education Department Seeks Greater Flexibility in Bilingual Program 1

EMPLOYMENT
- Adaptation and Integration of Recent Refugees to the United States, Refugee Policy Group (study) 3
- Bilingual Program Trains Vietnamese Entrepreneurs 10
- Bilingual Voc Ed, Joan Friedenberg and Curtis Bradley 3
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- Move to Rescind Targeted Assistance Sparks Controversy 3
- NGA Project Develops Definitions for Refugee Employment Services 5
- New Cooperative Agreement in Works: State Department Seeks More Volag Accountability 3
- ORR considers Fish/Wilson preapplications and applications (update) 10
- Program Trains Refugee Mothers in day Care Management 4
- Programs Provide Small Business Training for Refugees 10
- Proposed ORR Regulations Aim for Earlier Refugee Employment 3
- Returning to Professions Poses Challenge for Refugees 4
- Target: Employment, A Resource Guide to Job-Seeking and Job-Retention Materials, Indiana University (handbook) 10

ENGLISH AS A SECOND LANGUAGE (ESL)
- Bilingual ESL catalogue, University of Iowa 4
- Bilingual Voc Ed. Joan Friedenberg and Curtis Bradley 3
- Education Department Seeks Greater Flexibility in Bilingual Program 1

EUROPE, WESTERN
- East Germany requires aliens to have visas (update) 10
- Senate ratifies extradition treaty with Great Britain (update) 8
- West Germany seeks to restrict asylum seekers (update) 9
- Would-Be Romanian Emigrants Face Hardships 1

HAITI/HAITIANS
- Aiding Migration: The Impact of International Development Assistance in Haiti (book) 9
- Bibliography on Haiti: English and Creole Items, by Robert Lawless (bibliography) 9
- "Bitter Cane," Cinema Guild (feature film) 9
- Boat Flows from Haiti Increase 9
- Ford Foundation Promotes Loans for Refugee Businesses in Haitian and Southeast Asian Communities 9
- The Haiti Beat (newsletter) 9
- Haiti: Human Rights under Hereditary Dictatorship, Americas Watch Committee (report) 9
- "Haiti: Reason to Flee," Cinema Guild (video) 9
- Haiti--Today and Tomorrow: An Interdisciplinary Study, Charles R. Foster and Albert Valdman, ed. (book) 2
- Haiti's Jean-Claude Duvalier flees, U.S. interdiction of Haitians at sea continues (update) 2
- Haitian Lives in United States Marked by Unfairness, Advocates Say 9
- House immigration and refugees subcommittee to consider Moakley/DeConcini and Cuban/Haitian adjustment bills (update) 3
- Refugees Learn to Flex Political Muscle 11
- "Voyage of Dreams," by Colis Davis and Raymond Cajuste (video) 9

HEALTH/MENTAL HEALTH
- AIDS to be added to list of diseases for which aliens are excluded from U.S. 5
- Afghan Wounded Receive Medical Treatment in the United States 11
- Conference on Refugee Health, University of California, San Diego, School of Medicine and UCSD Medical Center 1
- Court finds undocumented aliens eligible for Medicaid (update) 8
- Effects of Rape on Refugee Women Studied 5
- Efforts Underway to Track Asian Sudden Deaths 6
- The Hopkins Symptom Checklist 25 Manual: Cambodian, Laotian and Vietnamese Versions, Indochinese Psychiatry Clinic (mental health screening tool) 6
- Medical Guide: An Introduction to Medical Service in North America and Medical Glossary: A Phrasebook for Bilingual Health Care, Indochinese Cultural and Service Center (books) 6
- "The Next Decade: The 1986 Conference on Refugee Health Care Issues and Management" 9
- Phone-in Tapes Give Hmong Health Advice 6
- Project Assists Battered Refugee Women 5
- Refugee Use of Medical Assistance Low 6
- Technical Assistance Offered for Refugee Mental Health Care 8

HMONG (SEE LAOS/REFUGEES FROM LAOS)

IMMIGRATION
- Aliens under "extended voluntary departure" eligible for amnesty, INS affirms (update) 12
- Immigration Reform Bill May Still Reach House Floor 10
- Immigration Reform Bill passes House Judiciary Committee (update) 7
- Introduction to U.S. Immigration Channels to Be Used in Family Reunification Plan for Cambodians 7
- Officials Ponder Implementation of Immigration Reform 11
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- President Reagan expresses support for immigration reform (update) 3
- Refugees Naturalize at High Rates 11

IMMIGRATION AND NATURALIZATION SERVICE (INS)
- Aliens under "extended voluntary departure" eligible for amnesty,

INS affirms (update) 12
- Asylum Cases Filed with District Directors, FY 86 of February 1986 (statistics) 6
- Asylum Cases Filed with District Directors, FY 86 as of June 30, 1986 (statistics) 9
- Asylum Cases Filed with INS District Directors, Approved and Denied by Nationality, June 1983 to September 1986 (statistics) 12
- Asylum Cases Filed with INS District Directors in FY 86 (statistics) 11
- Congress Looks at Cuban Political Prisoner Admissions to U.S. 10
- Directory of Agencies Which Assist Persons in Immigration Proceedings, National Council for Immigrants' Rights (directory) 7
- Doris Meissner resigns as INS executive associate commissioner (update) 5
- FAIR Petitions INS to End Work Authorization for Certain Aliens 11
- Federal court rules aliens on bond during immigration proceedings may work (update) 7
- House instructs Attorney General to release on parole aliens in deportation and exclusion proceedings (update) 10
- INS clarifies Central American asylum approval rates 6
- INS district director will not deport Nicaraguans (update) 5
- INS Oakdale Detention Center to Open 2
- INS opens alien detention center in Oakdale, Louisiana, sets criteria for transferring aliens there (update) 5
- INS Proposes Rule Eliminating 72-Hour Notice to Aliens Facing Deportation 2
- Immigration Reform Bill passes House Judiciary Committee (update) 7
- Introduction to U.S. Immigration Channels to Be Used in Family Reunification Plan for Cambodians 7
- Move to Mandate National INS Computer Check of Aliens Stirs Controversy 9
- New asylum policy being drafted by Justice Department would presume well-founded fear for those fleeing Communist countries (update) 4
- Oakdale Announces Change of "Mission" 11
- Oakdale Detention Facility in Full Swing 10
- Officials Ponder Implementation of Immigration Reform 11
- Refugees Naturalize at High Rates 11
- Report on denial of resettlement to Cambodians at Khao I Dang, U.S. Committee for Refugees (issue brief) 3
- Requesting Humanitarian Parole for "Border Khmer" 7
- Resettlement Hopes Fade for Cambodians in Thailand 7
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Supreme Court Considers Standards for Determining Grounds for Asylum 10
- Supreme Court to rule on "well-founded fear" standard for asylum (update) 4
- Ugandans' extended voluntary departure through July 31, 1986 (update) 5
- USCR informs Ugandans of implications of change in legal status 6

INTERGOVERNMENTAL AGENCIES
- Afghan Wounded Receive Medical Treatment in the United States 11
- Arthur Eugene Dewey leaves BRP to be deputy UN High Commissioner for Refugees (update) 5
- Fiorella Cappelli, UNHCR Washington representative, becomes UNHCR Europe and North America bureau director 5
- Mission to rescue boat people in Gulf of Thailand planned (update) 1
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Shake Up at UNHCR Avoids Major UN Cuts 11
- The U.S. and Anti-Piracy Efforts: New Results, but Violence Persists 4
- UNHCR seeking counselors for Southeast Asian camps (reader exchange) 8

LAOS/LAOTIANS (INCLUDING ALL ETHNIC GROUPS)
- Efforts Underway to Track Asian Sudden Deaths 6
- Evaluation of the Highland Lao Initiative (study) 6
- Grandmother's Path, Grandfather's Way, Lue Vang and Judy Lewis, ed. (book of Hmong oral traditions) 6
- The Hmong in Transition, Glenn L. Hendricks, Bruce T. Downing, Amos S. Deinard, ed. (book) 6
- Hmong Resettlement in Minnesota Defended 5
- Lao soldiers attack village in Thailand killing 35 Lao (update) 7
- Laos: A Bibliography (bibliography) 6
- Little-Known Ethnic Lao Refugees Resettle in Larger Numbers 6
- Living Tapestries, Charles Nuprich (anthology of Hmong folk tales) 8
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Phone-in Tapes Give Hmong Health Advice 6
- "Rebirth of a Culture: A Lao Temple in the Midwest" (video) 6
- Thai government allows resettlement processing of Lao in "humane deterrence" camps 2

MEETINGS AND CONFERENCES
- "Action Strategies to Ensure the Protection of Refugees and Displaced Persons" (conference) 6
- "The Asian Woman" (conference) 5
- Center for Migration Studies Ninth Annual National Legal Conference on Immigration and Refugee Policy 1
- Conference on Refugee Health, University of California, San Diego, School of Medicine and UCSD Medical Center 1
- National Unaccompanied Minors Conference 1986 (Meetings and Conferences) 10
- "The Next Decade: The 1986 Conference on Refugee Health Care Issues and Management" 9
- "The New Asylum Seekers," Ninth Sokol Colloquium on International Law, University of Virginia 1
- "Refuge or Asylum--A Choice for Canada?" (international symposium) 5
- "Refugee: A System Overload?" (conference) 9
- "Refugee Resettlement: A New Decade," ORR regional consultations 3
- "Refugee Resettlement in the Heartland of America: Moving Toward the Nineties" (conference) 5
- Regional Consultation Reviews Future of Refugee Resettlement 3

MIDDLE EAST AND SOUTH ASIA/REFUGEES FROM THE MIDDLE EAST AND SOUTH ASIA
- Administration to Announce Refugee Ceilings for FY 87 10
- Afghan Wounded Receive Medical Treatment in the United States 11

MISCELLANEOUS

MUTUAL ASSISTANCE ASSOCIATIONS (MAA)
- Fish Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- Indochinese Community Leadership Convention: A Report, IRAC (report) 11
- Little-Known Ethnic Lao Refugees Resettle in Larger Numbers 6
- Refugees Learn to Flex Political Muscle 11
- Washington, D.C.-Based Groups Help Refugee Advocacy Efforts 11

OFFICE OF REFUGEE RESETTLEMENT (ORR)/HEALTH AND HUMAN SERVICES (HHS)
- Allan Gall appointed ORR director of operations (update) 8
- Bill Gee appointed ORR acting director (update) 5
- Deficit-Reduction Law Cuts into Refugee Program 1
- Evaluation of the Highland Lao Initiative (study) 6
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- Move to Rescind Targeted Assistance Sparks Controversy 3
- NGA Project Develops Definitions for Refugee Employment Services 5
- ORR considers Fish/Wilson preapplications and applications (update) 10
- ORR director Philip Hawkes becomes deputy administrator of new HHS Family Support Administration (update) 4
- ORR Region VI office closes (update) 7
- ORR to move from Social Security to new Family Services Administration within Department of Health and Human Services (update) 3
- Proposed FY 87 Budget--Good News, Bad News, or No News for Refugee Program 2
- Proposed ORR Regulations Aim for Earlier Refugee Employment 3
- "Refugee Resettlement: A New Decade," ORR regional consultations 3
- Regional Consultation Reviews Future of Refugee Resettlement 3
- Richard Parkins resigns as ORR division of operations director (update) 5
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Unaccompanied minors defined by ORR regulations (update) 3

OFFICE OF THE U.S. COORDINATOR FOR REFUGEES
- Jonathan Moore appointed as U.S. Coordinator for Refugee Affairs (update) 8
- Jonathan Moore nominated as U.S. refugee coordinator (update) 6

ORDERLY DEPARTURE PROGRAM (ODP)
- Congressional joint resolution calls for resumption of Orderly Departure Program (update) 8
- Congressional task force visits Southeast Asia, raises concerns about ODP, Amerasians, reeducation prisoners to Vietnamese (update) 2
- The U.S. and Anti-Piracy Efforts: New Results, but Violence Persists (see sidebar) 4
- U.S. and Vietnamese ODP officials discuss suspended interviews (update) 3
- Vietnam presents list of Amerasians to United States (update) 9
- Vietnam Suspends ODP Interviewing 1

ORGANISATIONS/AGENCIES (SEE ALSO ORR/HHS, INS, STATE/BRP, VOLUNTARY AGENCIES, HEALTH, RESETTLEMENT/PROGRAMS, ETC.)
- Amnesty International USA calls for evenhanded asylum policies (update) 6
- Groups Help Search for Missing Cambodians 2
- HUD regulations relating to undocumented aliens delayed (update) 9
- NGA Project Develops Definitions for Refugee Employment Services 5
- Sudan maintains moratorium on refugee resettlement processing, lifts expulsions of ICM and ICMC (update) 1
- Washington, D.C.-Based Groups Help Refugee Advocacy Efforts 11

PIRACY
- Mission to rescue boat people in Gulf of Thailand planned (update) 1
- Pirates attack two boats of Vietnamese in South China Sea (update) 1
- The U.S. and Anti-Piracy Efforts: New Results, but Violence Persists 4

POLICY/LAW
- Amnesty International USA calls for evenhanded asylum policies (update) 6
- Congress Reauthorizes Refugee Act 11
- Education Department Seeks Greater Flexibility in Bilingual Program 1
- Federal appeals court rejects State Department denial of temporary visas on basis of aliens' communist affiliations (update) 3
- Federal court rules aliens on bond during immigration proceedings may work (update) 7
- House instructs Attorney General to release on parole aliens in deportation and exclusion proceedings (update) 10
- INS Oakdale Detention Center to Open 2
- Immigration Reform Bill passes House Judiciary Committee (update) 7
- Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance, Patricia Ruggles and Michael Fix, Urban Institute (study) 3
- In Defense of the Alien, Center for Migration Studies (book) 8
- Law Enforcement Needs of Southeast Asian Refugees Assessed, Strategies Developed 8
- Local Police Departments Grapple with Crime Against Southeast Asian Refugees 8
- New asylum policy being drafted by Justice Department would presume well-founded fear for those fleeing Communist countries (update) 4
- "The New Asylum Seekers," Ninth Sokol Colloquium on International Law, University of Virginia 1
- New Police Clearance Requirement for Cuban Refugees Adjusting Status 8
- Of Special Humanitarian Concern: U.S. Refugee Admissions Since Passage of the Refugee Act, Refugee Policy Group (study) 1
- Officials Ponder Implementation of Immigration Reform 11
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- A Research Project to Determine the Law Enforcement Needs of the Southeast Asian Refugees in the Year 1995: To Develop Strategies to Meet Those Needs, Stanley L. Knee (report) 8
- Refugees Learn to Flex Political Muscle 11
- Resettlement Hopes Fade for Cambodians in Thailand 7
- Sanctuary Trial Proceeds Slowly 1
- Sanctuary trial reaches final arguments (update) 3
- Senate ratifies extradition treaty with Great Britain (update) 8
- Senate Subcommittee to Hold Mid-Year Refugee Consultation 6
- Six Tucson sanctuary defendants found guilty (update) 5
- Study Finds Miami Cubans Support Police 8
- Supreme Court Considers Standards for Determining Grounds for Asylum 10
- Supreme Court to rule on "well-founded fear" standard for asylum (update) 4
- Tucson sanctuary activists sentenced to probation (update) 7

PUBLIC ASSISTANCE
- Adaptation and Integration of Recent Refugees to the United States Refugee Policy Group (study) 3
- Brochure and chart of alien eligibility for government-funded programs, New York City Office of Immigrant Affairs (resource) 3
- Court finds undocumented aliens eligible for Medicaid (update) 8
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves

Difficult 4
- Hmong Resettlement in Minnesota Defended 5
- Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance, Patricia Ruggles and Michael Fix, Urban Institute (study) 3
- Move to Rescind Targeted Assistance Sparks Controversy 3
- ORR considers Fish/Wilson preapplications and applications (update) 10
- Proposed FY 87 Budget--Good News, Bad News, or No News for Refugee Program 2
- Proposed ORR Regulations Aim for Earlier Refugee Employment 3
- Refugee Use of Medical Assistance Low 6

PUBLIC OPINION
- Refugees Learn to Flex Political Muscle 11
- Washington, D.C.-Based Groups Help Refugee Advocacy Efforts 11

REFUGEE PROCESSING
- Administration to Announce Refugee Ceilings for FY 87 10
- Department of State issues new worldwide refugee processing priorities (update) 12
- Indochinese Refugee Activity, FY 86 as of November 30, 1985 (statistics) 1
- Indochinese Refugee Activity, FY 86 as of March 31, 1986 (statistics) 5
- Indochinese Refugee Activity, FY 86 as of August 31, 1986 (statistics) 10
- Introduction to U.S. Immigration Channels to Be Used in Family Reunification Plan for Cambodians 7
- Little-Known Ethnic Lao Refugees Resettle in Larger Numbers 6
- "Looking for Phantoms: Flaws in the Khmer Rouge Screening Process," Stephen Golub (U.S. Committee for Refugees issue brief) 6
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- Processing of Political Prisoners Starts in Cuba 9
- Processing of refugees in the Sudan resumes (update) 8
- Refugee Priority Categories Being Processed by Region, as of December 1986 (statistics) 12
- Report on denial of resettlement to Cambodians at Khao I Dang, U.S. Committee for Refugees (issue brief) 3
- Requesting Humanitarian Parole for "Border Khmer" 7
- Resettlement Hopes Fade for Cambodians in Thailand 7
- Review of Cambodians at Khao I Dang rejected for U.S. resettlement completed (update) 4
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Some Cambodians moved from Khao I Dang to Site 7 or Bang Phu (update) 1
- Steps to allow relaxed restrictions for processing of "land" Vietnamese initiated by State Department (update) 3
- Sudan maintains moratorium on refugee resettlement processing, lifts expulsions of ICM and ICMC (update) 1
- Thai government allows resettlement processing of Lao in "humane deterrence" camps 2
- Thailand expected to announce Khao I Dang closing, and to allow resettlement processing of family card holders (update) 6
- Would-Be Romanian Emigrants Face Hardships 1

RESEARCH
- Adaptation and Integration of Recent Refugees to the United States Refugee Policy Group (study) 3
- Asian Americans: Growth, Change, and Diversity, Population Reference Bureau (study) 2
- Civil Rights Commission Issues Report on Anti-Asian Violence 11
- Effects of Rape on Refugee Women Studied 5
- Evaluation of the Highland Lao Initiative (study) 6
- GAO Studies U.S. Asylum Practices 11
- Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance, Patricia Ruggles and Michael Fix, Urban Institute (study) 3
- Indochinese Studies Program announces competition for studies of Southeast Asia using refugees (reader exchange) 10
- Law Enforcement Needs of Southeast Asian Refugees Assessed, Strategies Developed 8
- Of Special Humanitarian Concern: U.S. Refugee Admissions Since Passage of the Refugee Act, Refugee Policy Group (study) 1
- Refugee Use of Medical Assistance Low 6
- Refugees Naturalize at High Rates 11
- A Research Project to Determine the Law Enforcement Needs of the Southeast Asian Refugees in the Year 1995: To Develop Strategies to Meet Those Needs, Stanley L. Knee (report) 8
- Study Finds Miami Cubans Support Police 8

RESETTLEMENT/ADJUSTMENT AND ACCULTURATION
- Adaptation and Integration of Recent Refugees to the United States Refugee Policy Group (study) 3
- Asian Business and Community News (newsletter) 10
- Haitian Lives in United States Marked by Unfairness, Advocates Say 9
- The Hmong in Transition, Glenn L. Hendricks, Bruce T. Downing, Amos S. Deinard, ed. (book) 6
- Hmong Resettlement in Minnesota Defended 5
- Little-Known Ethnic Lao Refugees Resettle in Larger Numbers 6
- Refugees Face Low-Income Housing Shortages 2
- Refugees Learn to Flex Political Muscle 11
- Refugees Naturalize at High Rates 11
- Returning to Professions Poses Challenge for Refugees 4
- Utility Company Booklet Introduces Electrical Services and Safety to Asian Customers 7

RESETTLEMENT/ADMISSIONS AND NUMBERS
- Administration proposes 70,000 refugee ceiling for FY 87 (update) 9
- Administration to Announce Refugee Ceilings for FY 87 10
- Admission ceiling for FY 87 projected at 63,000; regional ceilings for FY 86 reduced (update) 3
- Deficit-Reduction Law Cuts into Refugee Program 1
- Estimated Costs of Refugee Movement to and Resettlement in the United States, FY 86 and FY 87 (statistics) 12
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of December 31, 1985 (statistics) 2
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of April 30, 1986 (statistics) 7
- Indochinese Refugee Activity, FY 86 as of November 30, 1985 (statistics) 1
- Indochinese Refugee Activity, FY 86 as of March 31, 1986 (statistics) 5
- Indochinese Refugee Program as of January 31, 1986 (statistics) 1
- Indochinese Refugee Program as of June 30, 1986 (statistics) 8
- Indochinese Refugee Program as of September 30, 1986 (statistics) 12
- Little-Known Ethnic Lao Refugees Resettle in Larger Numbers 6
- Of Special Humanitarian Concern: U.S. Refugee Admissions Since Passage of the Refugee Act, Refugee Policy Group (study) 1
- Proposed FY 87 Budget--Good News, Bad News, or No News for Refugee Program 2
- Reagan authorizes 70,000 FY 87 refugee admissions, private sector funding discussed (update) 11
- Refugee Arrivals by Country of Citizenship and State of Initial Resettlement FY 83 through FY 86 (statistics) 12
- Resettlement Hopes Fade for Cambodians in Thailand 7
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Southeast Asian Refugee Arrivals in the United States by Nationality FY 75 through FY 86 (statistics) 12
- Southeast Asian Refugee Departures to Resettlement Countries, FY 86, and April 1975 through September 1986, Cumulative (statistics) 12
- Southeast Asian Refugee: Estimated Cumulative State Populations through March 31, 1986 (statistics) 6
- Southeast Asian Refugees: Estimated Cumulative State Populations from 1975 through September 30, 1986 12
- Southeast Asian Refugees: Estimated Cumulative State Populations through March 31, 1986 (statistics) 6
- Vietnam Suspends ODP Interviewing 1
- U.S. Refugee Admissions Ceilings and Actual Arrivals, FY 75 through FY 87 (statistics) 12

RESETTLEMENT/PROGRAMS
- Evaluation of the Highland Lao Initiative (study) 6
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- Move to Rescind Targeted Assistance Sparks Controversy 3
- New Cooperative Agreement in Works: State Department Seeks More Volag Accountability 7
- ORR considers Fish/Wilson preapplications and applications (update) 10
- Proposed ORR Regulations Aim for Earlier Refugee Employment 3
- Working with Refugees, Peter I. Rose, ed. (book) 6

RESETTLEMENT/STUDIES
- Adaptation and Integration of Recent Refugees to the United States Refugee Policy Group (study) 3
- GAO study of refugee resettlement to recommend clarification of goals and measurable performance standards (update) 2
- In Our Fathers' Land: Vietnamese Amerasians in the United States, Migration and Refugee Services, U.S. Catholic Conference (report) 3
- Indochinese Refugees in America: Problems of Adaptation and Assimilation, Paul J. Strand and Woodrow Jones, Jr. (book) 4
- Refugee Program: Initial Reception and Placement of New Arrivals Should Be Improved, U.S. General Accounting Office (report) 5

RESOURCES/GUIDES
- African Refugees: Reflections on the African Refugee Problem, Gaim Kibreab (book) 7
- Against All Hope: The Prison Memoirs of Armando Valladares, Armando Valladares (autobiography) 10
- Aiding Migration: The Impact of International Development Assistance in Haiti (book) 9
- Asian Americans: Growth, Change, and Diversity, Population Reference Bureau (study) 2
- Asian Business and Community News (newsletter) 10
- Asylum procedures guide, Lawyers Committee for Human Rights (videotapes) 8
- Bibliography on Haiti: English and Creole Items Robert Lawless (bibliography) 9
- Bilingual ESL catalogue, University of Iowa 6
- Bilingual Voc Ed, Joan Friedenberg and Curtis Bradley 3
- "Bitter Cane," Cinema Guild (feature film) 9
- Brochure and chart of alien eligibility for government-funded programs, New York City Office of Immigrant Affairs 3
- Country Reports on Human Rights Practices for 1985, U.S. State Department 2
- A Development Primer, Women's Institute for Housing and Economic Development (handbook) 10
- Directory of Agencies Which Assist Persons in Immigration Proceedings, National Council for Immigrants' Rights (directory) 7
- Evaluation of the Highland Lao Initiative (study) 6
- The Face of Change in Central America, Mennonite Central Committee (resource packet) 8
- Feast to Famine: The Course of Africa's Underdevelopment, Bill Rau (book) 7
- Forced to Move, Renato Camarda (book) 8
- Gaining Ground: Refugees in Sudan, Euro Action ACCORD (booklet) 7
- Grandmother's Path, Grandfather's Way, Lue Vang and Judy Lewis, ed. (book of Hmong oral traditions) 6
- "Guide to Available Resources for Guatemalan Asylum Cases, National Lawyers' Guild (bibliography) 8
- The Haiti Beat (newsletter) 9
- Haiti: Human Rights under Hereditary Dictatorship, Americas Watch Committee (report) 9
- "Haiti: Reason to Flee," Cinema Guild (video) 9
- Haiti--Today and Tomorrow: An Interdisciplinary Study, Charles R. Foster and Albert Valdman, ed. (book) 2
- The Hmong in Transition, Glenn L. Hendricks, Bruce T. Downing, Amos S. Deinard, ed. (book) 6
- The Hopkins Symptom Checklist 25 Manual: Cambodian, Laotian and Vietnamese Versions, Indochinese Psychiatry Clinic (mental health screening tool) 6
- "Human Rights in Uganda: A Season of Hope for its Refugees and Displaced Persons," U.S. Committee for Refugees (issue brief) 6
- Human rights information center in El Salvador, CARECEN (resource) 8
- If You Mean Business: A Manual for Southeast Asian Refugees, Center for Southeast Asian Refugee Resettlement (handbook) 10
- In Defense of the Alien, Center for Migration Studies (book) 8
- In Our Fathers' Land: Vietnamese Amerasians in the United States, Migration and Refugee Services, U.S. Catholic Conference (report) 3
- Indochinese Community Leadership Convention: A Report, IRAC (report) 11

- Indochinese Refugees in America: Problems of Adaptation and Assimilation, Paul J. Strand and Woodrow Jones, Jr. (book) 4
- Laos: A Bibliography (bibliography) 6
- "Looking for Phantoms: Flaws in the Khmer Rouge Screening Process," Stephen Golub (U.S. Committee for Refugees issue brief) 6
- "Living in Limbo: The Boat Refugees of Hong Kong and Macao," U.S. Committee for Refugees (issue brief) 6
- Living Tapestries, Charles Mumrich (anthology of Hmong folk tales) 8
- Medical Guide: An Introduction to Medical Service in North America and Medical Glossary: A Phrasebook for Bilingual Health Care, Indochinese Cultural and Service Center (books) 6
- Of Special Humanitarian Concern: U.S. Refugee Admissions Since Passage of the Refugee Act, Refugee Policy Group (study) 1
- Politics and the Ethiopian Famine 1984-1985, Jason Clay and Bonnie K. Holcomb (research report) 7
- Profit for Nonprofits: Myth or Reality, Greater New York Fund/United Way (manual) 3
- "Rebirth of a Culture: A Lao Temple in the Midwest" (video) 6
- Refugee Materials Center supplementary bibliography 2
- Refugee Program: Initial Reception and Placement of New Arrivals Should Be Improved, U.S. General Accounting Office (report) 5
- Refugees are People: An Action Report on Refugees in Africa, Simon E. Smith and Joseph G. Donders (book) 7
- "Refugees: Issues and Directions," International Migration Review, Center for Migration Studies (research) 10
- Report on denial of resettlement to Cambodians at Khao I Dang, U.S. Committee for Refugees (issue brief) 3
- A Research Project to Determine the Law Enforcement Needs of the Southeast Asian Refugees in the Year 1995: To Develop Strategies to Meet Those Needs, Stanley L. Knee (report) 8
- Sanctuary: The New Underground Railroad, Renny Golden and Michael McConnell (book) 8
- Spirit of Survival, Gail Sheehy (book) 7
- Government at Work and It's Our Government, Janus Books (text books) 11
- Target: Employment, A Resource Guide to Job-Seeking and Job-Retention Materials, Indiana University (handbook) 10
- This Ground is Holy: Church Sanctuary and Central American Refugees, Ignatius Bau (book) 8
- Twenty Years and Forty Days/ Life in a Cuban Prison, Jorge Vallè (autobiography) 10
- "Voyage of Dreams," by Colis Davis and Raymond Cajuste (video) 9
- Working with Refugees, Peter I. Rose, ed. (book) 6

SANCTUARY MOVEMENT
- Los Angeles City Council reverses its "City of Sanctuary" declaration, passes compromise resolution (update) 2
- Sanctuary: The New Underground Railroad, Renny Golden and Michael McConnell (book) 8
- Sanctuary Trial Proceeds Slowly 1
- Sanctuary trial reaches final arguments (update) 3
- Six Tucson sanctuary defendants found guilty (update) 5
- This Ground is Holy: Church Sanctuary and Central American Refugees, Ignatius Bau (book) 8
- Tucson sanctuary activists sentenced to probation (update) 7

SOUTHEAST ASIA/SOUTHEAST ASIANS
- Adaptation and Integration of Recent Refugees to the United States Refugee Policy Group (study) 3
- Administration to Announce Refugee Ceilings for FY 87 10
- Asian Americans: Growth, Change, and Diversity, Population Reference Bureau (study) 2
- Effects of Rape on Refugee Women Studied 5
- Efforts Underway to Track Asian Sudden Deaths 6
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of December 31, 1985 (statistics) 2
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of April 30, 1986 (statistics) 7
- The Hopkins Symptom Checklist 25 Manual: Cambodian, Laotian and Vietnamese Versions, Indochinese Psychiatry Clinic (mental health screening tool) 6
- If You Mean Business: A Manual for Southeast Asian Refugees, Center for Southeast Asian Refugee Resettlement (handbook) 10
- Indochinese Refugee Activity, FY 86 as of November 30, 1985 (statistics) 1
- Indochinese Refugee Activity, FY 86 as of March 31, 1986 (statistics) 5
- Indochinese Refugee Activity, FY 86 as of August 31, 1986 (statistics) 10
- Indochinese Refugee Camp Populations by Ethnic Group as of September 30, 1986 (statistics) 12
- Indochinese Refugee Program as of January 31, 1986 (statistics) 3
- Indochinese Refugee Program as of June 30, 1986 (statistics) 8
- Indochinese Refugee Program as of September 30, 1986 (statistics) 12
- Indochinese Refugees in America: Problems of Adaptation and Assimilation, Paul J. Strand and Woodrow Jones, Jr. (book) 4
- Indochinese Studies Program announces competition for studies of Southeast Asia using refugees (reader exchange) 10
- Law Enforcement Needs of Southeast Asian Refugees Assessed, Strategies Developed 8
- Local Police Departments Grapple with Crime Against Southeast Asian Refugees 8
- Medical Guide: An Introduction to Medical Service in North America and Medical Glossary: A Phrasebook for Bilingual Health Care, Indochinese Cultural and Service Center (books) 6
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- Project Assists Battered Refugee Women 5
- Refugee Use of Medical Assistance Low 6
- Refugees Face Low-Income Housing Shortages 2
- Refugees Help Rebuild Chicago Neighborhood 5
- Refugees Learn to Flex Political Muscle 11
- Regional Consultation Reviews Future of Refugee Resettlement 3
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- Southeast Asian Refugee Arrivals in the United States by Nationality FY 75 through FY 86 (statistics) 12
- Southeast Asian Refugee Departures to Resettlement Countries, FY 86, and April 1975 through September 1986, Cumulative (statistics) 12
- Southeast Asian Refugees: Estimated Cumulative State Populations from 1975 through September 30, 1986 12
- Southeast Asian Refugees: Estimated Cumulative State Populations through March 31, 1986 (statistics) 6
- U.S. Commission on Civil Rights study of violence, harassment toward Asians and Americans of Asian descent near completion (update) 2
- Utility Company Booklet Introduces Electrical Services and Safety to Asian Customers 7
- Wolfowitz, assistant secretary of state for East Asian and Pacific affairs, named ambassador to Indonesia (update) 1

STATE DEPARTMENT/BUREAU FOR REFUGEE PROGRAMS
- Arthur Eugene Dewey leaves BRP to be deputy UN High Commissioner for Refugees (update) 5
- Congress Looks at Cuban Political Prisoner Admissions to U.S. 10
- Deficit-Reduction Law Cuts into Refugee Program 1
- Department of State issues new worldwide refugee processing priorities (update) 12
- GAO study of refugee resettlement to recommend clarification of goals and measurable performance standards (update) 2
- New Cooperative Agreement in Works: State Department Seeks More Volag Accountability 3
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- Proposed FY 87 Budget--Good News, Bad News, or No News for Refugee Program 2
- Refugee Program: Initial Reception and Placement of New Arrivals Should Be Improved, U.S. General Accounting Office (report) 5
- Refugee Programs Face Budget Hurdles 6
- Regional Consultation Reviews Future of Refugee Resettlement 3
- Senate Holds Mid-Year Hearing on U.S. Refugee Program 7
- State Department Reports on Human Rights Practices 2
- State Department urges Cambodians in U.S. to take appropriate steps to bring close relatives from Thai-Cambodian border (reader exchange) 3
- Vietnam Suspends ODP Interviewing 1
- Wolfowitz, assistant secretary of state for East Asian and Pacific affairs, named ambassador to Indonesia (update) 1

STATISTICS
- Asylum Cases Filed with District Directors, FY 86 as of February 1986 (statistics) 4
- Asylum Cases Filed with District Directors, FY 86 as of June 30, 1986 (statistics) 9
- Asylum Cases Filed with INS District Directors, Approved and Denied by Nationality, June 1983 to September 1986 (statistics) 12
- Asylum Cases Filed with INS District Directors in FY 86 (statistics) 11
- Estimated Costs of Refugee Movement to and Resettlement in the United States, FY 86 and FY 87 (statistics) 12
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of December 31, 1985 (statistics) 2
- FY 86 Refugee Arrivals by State of Resettlement and Country of Origin as of April 30, 1986 (statistics) 7
- Indochinese Refugee Activity, FY 86 as of November 30, 1985 (statistics) 1
- Indochinese Refugee Activity, FY 86 as of March 31, 1986 (statistics) 5
- Indochinese Refugee Activity, FY 86 as of August 31, 1986 (statistics) 10
- Indochinese Refugee Camp Populations by Ethnic Group as of September 30, 1986 (statistics) 12
- Indochinese Refugee Program as of January 31, 1986 (statistics) 3
- Indochinese Refugee Program as of June 30, 1986 (statistics) 8
- Indochinese Refugee Program as of September 30, 1986 (statistics) 12
- Refugee Arrivals by Country of Citizenship and State of Initial Resettlement FY 83 through FY 86 (statistics) 12
- Refugee Arrivals in the United States by Sponsoring Agency, FY 86 (statistics) 12
- Refugee Priority Categories Being Processed by Region, as of December 1986 (statistics) 12
- Refugees Naturalize at High Rates 11
- Southeast Asian Refugee Arrivals in the United States by Nationality FY 75 through FY 86 (statistics) 12
- Southeast Asian Refugee Departures to Resettlement Countries, FY 86, and April 1975 through September 1986, Cumulative (statistics) 12
- Southeast Asian Refugees: Estimated Cumulative State Populations from 1975 through September 30, 1986 12
- Southeast Asian Refugees: Estimated Cumulative State Populations through March 31, 1986 (statistics) 6
- U.S. Contributions to International Refugee Situations, FY 86 and FY 87 (statistics) 12
- U.S. Refugee Admissions Ceilings and Actual Arrivals, FY 75 through FY 87 (statistics) 12

THAILAND
- Groups Help Search for Missing Cambodians 2
- Interviewing "land Vietnamese" at Thailand's Site 2 to begin (update) 1
- Lao soldiers attack village in Thailand killing 35 Lao (update) 7
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Panel on Indochinese Refugees Recommends Continued Refugee Program and New Emphasis on Immigration 5
- Report on denial of resettlement to Cambodians at Khao I Dang, U.S. Committee for Refugees (issue brief) 3
- Review of Cambodians at Khao I Dang rejected for U.S. resettlement completed (update) 2
- Some Cambodians moved from Khao I Dang to Site 7 or Pang Phu (update) 1
- Steps to allow relaxed restrictions for processing of "land" Vietnamese initiated by State Department (update) 3
- Thai government allows resettlement processing of Lao in "humane deterrence" camps 2
- Thai Officials Say Khao I Dang Will Not Close at End of 1986 10
- Thailand closes three refugee camps (update) 5
- Thailand denies allegations of torture in Khao I Dang (update) 6
- Thailand expected to announce Khao I Dang closing, and to allow resettlement processing of family card holders (update) 6
- Thailand reaffirms intention to close Khao I Dang by year's end (update) 11
- Thailand's Site 8 Shelled—12 Killed, Scores Injured 6
- Three Cambodians tortured by Thai soldiers at Khao I Dang (update) 5
- The U.S. and Anti-Piracy Efforts: New Results, but Violence Persists 4

UNACCOMPANIED MINORS
- National Unaccompanied Minors Conference 1986 (Meetings and Conferences) 10
- Unaccompanied minors defined by ORR regulations (update) 3

UNDOCUMENTED ALIENS
- Court finds undocumented aliens eligible for Medicaid (update) 8
- Directory of Agencies Which Assist Persons in Immigration Proceedings, National Council for Immigrants' Rights (directory) 7
- FAIR Petitions INS to End Work Authorization for Certain Aliens 11
- Federal court rules aliens on bond during immigration proceedings may work (update) 7
- House bill amended to permit undocumented aliens to use federally subsidized housing, if family member is citizen or permanent resident (update) 7
- House instructs Attorney General to release on parole aliens in deportation and exclusion proceedings (update) 10
- HUD regulations relating to undocumented aliens delayed (update) 9
- INS district director will not deport Nicaraguans (update) 5
- INS Oakdale Detention Center to Open 2
- INS opens alien detention center in Oakdale, Louisiana, sets criteria for transferring aliens there (update) 5
- INS Proposes Rule Eliminating 72-Hour Notice to Aliens Facing Deportation 2
- Impacts and Potential Impacts of Central American Migrants on HHS and Related Programs of Assistance, Patricia Ruggles and Michael Fix, Urban Institute (study) 3
- Los Angeles City Council reverses its "City of Sanctuary" declaration, passes compromise resolution (update) 2
- Moakley/DeConcini bill amended by House refugee subcommittee (update) 4
- Move to Mandate National INS Computer Check of Aliens Stirs Controversy 9
- Oakdale Announces Change of "Mission" 11
- Oakdale Detention Facility in Full Swing 10
- Officials Ponder Implementation of Immigration Reform 11
- President Reagan expresses support for immigration reform (update) 3
- Sanctuary: The New Underground Railroad, Renny Golden and Michael McConnell (book) 8
- Sanctuary Trial Proceeds Slowly 1
- Sanctuary trial reaches final arguments (update) 3
- Six Tucson sanctuary defendants found guilty (update) 5
- This Ground is Holy: Church Sanctuary and Central American Refugees, Ignatius Bau (book) 8
- Tucson sanctuary activists sentenced to probation (update) 7
- Undocumented Aliens Barred from Federal Housing Subsidies 5

UNHCR (SEE INTERGOVERNMENTAL AGENCIES)

USSR AND EASTERN EUROPE/REFUGEES FROM THE USSR AND EASTERN EUROPE
- Administration to Announce Refugee Ceilings for FY 87 10
- East Germany requires aliens to have visas (update) 10
- Polish deferred departure extended until December 31, 1986 (update) 7
- Romania allows 1,000 people to emigrate (update) 6
- Soviets to enact new emigration regulations (update) 12
- USSR agrees to allow exit visas for divided families (update) 6

VIETNAM/REFUGEES FROM VIETNAM
- Bilingual Program Trains Vietnamese Entrepreneurs 10
- Congressional task force visits Southeast Asia, raises concerns about ODP, Amerasians, reeducation prisoners to Vietnamese (update) 2
- Hanoi announces prisoner releases, reductions of sentences (update) 9
- Hong Kong newspaper defends ships who do not pick up boat people (update) 5
- In Our Fathers' Land: Vietnamese Amerasians in the United States, Migration and Refugee Services, U.S. Catholic Conference (report) 3
- Interviewing "land Vietnamese" at Thailand's Site 2 to begin (update) 1
- "Living in Limbo: The Boat Refugees of Hong Kong and Macao," U.S. Committee for Refugees (issue brief) 6
- Observers in Thailand See Dwindling Alternatives for Refugees 9
- Pirates attack two boats of Vietnamese in South China Sea (update) 1
- Refugees Learn to Flex Political Muscle 11
- Steps to allow relaxed restrictions for processing of "land" Vietnamese initiated by State Department (update) 3
- The U.S. and Anti-Piracy Efforts: New Results, but Violence Persists 4
- U.S. and Vietnamese ODP officials discuss suspended interviews (update) 3
- Vietnam presents list of Amerasians to United States (update) 9
- Vietnam Suspends ODP Interviewing 1
- Two hundred Montagnards from Vietnam resettle in North Carolina (update) 12

VOLUNTARY AGENCIES (VOLAGS)
- Administration to Announce Refugee Ceilings for FY 87 10
- Congress Reauthorizes Refugee Act 11
- Fish-Wilson Amendment: Demonstrating Resettlement Alternatives Proves Difficult 4
- GAO study of refugee resettlement to recommend clarification of goals and measurable performance standards (update) 2
- New Cooperative Agreement in Works: State Department Seeks More Volag Accountability 3
- Officials Ponder Implementation of Immigration Reform 11
- Profit for Nonprofits: Myth or Reality, Greater New York Fund/United Way (manual) 2
- Reagan authorizes 70,000 FY 87 refugee admissions, private sector funding discussed (update) 11
- Refugee Arrivals in the United States by Sponsoring Agency, FY 86 (statistics) 12
- Refugee Program: Initial Reception and Placement of New Arrivals Should Be Improved, U.S. General Accounting Office (report) 5
- Refugees Face Low-Income Housing Shortages 2
- Washington, D.C.-Based Groups Help Refugee Advocacy Efforts 11

WOMEN REFUGEES
- "The Asian Woman" conference 5
- A Development Primer, Women's Institute for Housing and Economic Development (handbook) 10
- Effects of Rape on Refugee Women Studied 5
- Program Trains Refugee Mothers in Day Care Management 4
- Project Assists Battered Refugee Women 5

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U.S. ORDERLY DEPARTURE PROGRAM: STALLED OR SHIFTING GEARS?

One year ago, on January 1, 1986, the Vietnamese government suspended further interviewing for the Orderly Departure Program (ODP), disrupting the six-year-old initiative that has provided a safe and legal avenue for more than 115,000 Vietnamese refugees and immigrants to leave their country. The suspension of interviewing for the U.S. program coincided with restrictions in processing for many of the other 40 countries involved in ODP.

Since that time, U.S. and Vietnamese officials have met at least twice under the auspices of the UN High Commissioner for Refugees (UNHCR) in an effort to get the program back on track. Talks were held in Hanoi in late August, and again in Geneva in November. Although both governments continue to express commitment to continue ODP, interviewing of Vietnamese who have applied to come to the United States remains at a standstill.

"The Vietnamese government was forced to suspend the interviewing" until the United States moved "to resolve expeditiously" a backlog of 22,000 cases that had built up, a high-ranking Vietnamese official said in an interview in the Bangkok Nation. The government had released these people for exit, they had been interviewed by U.S. staff working on assignment to the UNHCR in Ho Chi Minh City, but they had not yet been accepted or rejected by the United States.

U.S. officials, while critical of Vietnam's unilateral action, have been working on the backlog. From January to December 1986, about 11,000 people have departed Vietnam en route to the United States via ODP. Roughly 2,000 people have been rejected. The backlog is now down to about 9,000.

"We're over the hump. The backlog has been resolved as far as we're concerned," one State Department official told Refugee Reports. At the current rate of departures--about 250 people per week according to the State Department--the backlog will be gone by October. The official said that the U.S. program needed a backlog of 3,000 to 4,000 in order to maintain a regular flow of about 1,000 departures per month.

"We will consider the backlog resolved when it

IN THIS ISSUE:

After a year-long suspension of interviewing for the Orderly Departure Program, this issue examines the future of safe and organized Vietnamese emigration.......1

- Update..................5
- Recent Developments

Administration requests large cuts in FY 88 refugee program budgets; Khao I Dang camp closes; Afghan refugees face increased pressures; INS proposes to make certain groups ineligible for refugee admission who could be admitted as immigrants; Education Department seeks wider options for alternatives to bilingual instruction; First Cubans paroled from Oakdale........7

- Projects and Programs

Radio Corporation of America trains refugees in office skills.....................13

- Meetings and Conferences
- Resources.............14
- Statistics

Orderly departures from Vietnam.....................16

HOW THE ORDERLY DEPARTURE PROGRAM WORKS

Interest Expressed: A person in the U.S. or in Vietnam contacts the ODP office at the American Embassy in Bangkok, or a voluntary agency in the U.S., expressing interest in the ODP. The ODP office requests an immigrant visa petition from the relative in the U.S. or information concerning the applicant's association with the U.S.

Documentation: Upon receipt of an approved immigrant visa petition (I-130) or of evidence of close past ties with the U.S., the ODP office in Bangkok opens a file and requests the documents required to complete the application. When the ODP is satisfied with the documentation submitted, it then adds the name of the applicant to the list of names of those preliminarily approved for entry to the U.S. That list is forwarded periodically to the Vietnamese authorities through the UNHCR representatives. The ODP office simultaneously issues a Letter of Introduction for use by the individual in Vietnam to obtain an exit permit, although this has often not been required by the Vietnamese authorities.

Exit Permit: After the Vietnamese authorities issue an exit permit (which may take months or years from the time of the initial request), they may then arrange for the applicant to be interviewed by UNHCR interviewers in Ho Chi Minh City (which may easily be another 18 months, or longer, after issuance of the exit permit).

Medical Exam: During the week following the UNHCR interview, the applicant undergoes a medical examination at Cho Ray Medical Center.

ODP Office Review: The UNHCR interview file, along with the results of the medical exam, is then forwarded to ODP Bangkok for final review and approval. (Final approval may take several months, depending on the existing backlog and/or whether or not more documentation is required.)

UNHCR Role: Upon final approval, the name of the applicant is telexed to the UNHCR for submission to the Vietnamese authorities for manifesting on the earliest possible flight out of Vietnam.

U.S. Government Exit Interview: Immediately prior to departure, an exit interview is conducted by a U.S. consular officer at the Tan Son Nhat Airport in Ho Chi Minh City.

Transportation: Travel, food, and lodging are provided by the Intergovernmental Committee for Migration (ICM) under the terms of an agreement with the Bureau. (However, all ODP applicants are required to repay the transportation cost to voluntary agencies who work with ICM on loan collections.)

Training/U.S. Arrival: The individual transits Bangkok for a brief period (not to exceed 12 days) and continues traveling either to the U.S. or, if qualified, first to Bataan for ESL/CO (English-as-a-second-language/cultural orientation) at the Philippine Refugee Processing Center, then on to the United States.

Source: U.S. ODP Office/American Embassy, Bangkok

U.S. ODP Departures from Vietnam: Immigrants and Refugees

Calendar Year	Immigrants	Refugees	Immigrant % of Total
1981	1,191	1,069	52.7%
1982	964	2,827	25.4%
1983	1,909	6,257	23.4%
1984	3,823	9,590	28.5%
1985	3,840	9,528	28.7%
1986	4,026	6,981	36.6%
Total	15,753	36,252	30.3%

Source: Joint Voluntary Agency/ODP, Bangkok

reaches zero," Nguyen Dang Quang, first secretary of the Vietnamese mission to the UN, told Refugee Reports. "When that is resolved we will continue the program, and continue to grant exit permits for those who wish to go abroad for family reunification." Quang said that, as of December 1985, there were about 80,000 people in Vietnam who had been granted exit permits to leave the country. About 60,000 of them wanted to go to the United States, he said. The backlog of interviewed cases comprised slightly more than one-third of this group of 60,000.

State Department officials contend that, since the outset of the program in 1980, the Vietnamese have been willing to grant large numbers of exit permits to people who are not of high priority to the United States, while denying permits to those who are.

Groups identified to be of high priority to the State Department include reeducation camp political prisoners, Amerasian children and their families, former U.S. government employees, and persons with approved immigration visa petitions to the United States.

Under current ODP program guidelines, Vietnamese with approved immigrant visa petitions enter the country as immigrants. The other groups of high priority would enter the United States as refugees.

Also entering as refugees, though of less priority to the State Department, are individuals seeking to reunite with their families but who are currently ineligible for immigrant visas. These individuals comprise the group known as refugee family reunification cases, and they make up a large percentage of the more than 50,000 people who have entered the United States via ODP since 1980.

USCC Issues Report on ODP According to a recent report on ODP prepared by Migration and Refugee Services of the U.S. Catholic Conference (USCC), policy changes that were proposed and partially implemented by the State Department in the past year point toward the increased use of immigrant visas as the primary and perhaps only means of family reunification via ODP. Ultimately, refugee numbers in the ODP program may be preserved exclusively for cases of higher priority than family reunification.

The FY 87 admissions ceiling for refugees entering the United States via ODP is 8,500. Immigrant numbers are not counted against this ceiling.

The report was endorsed and published by InterAction, an association of U.S. private and voluntary agencies. It notes that on January 10, 1986, the U.S. ODP program placed a "virtual embargo" on refugee family reunification. Lists of family reunification cases in the backlog that had been approved were not sent to Vietnam for movement to the United States. Several months later, U.S.-based anchor relatives of these cases were instructed to file immigrant visa petitions for their family members in Vietnam. It seemed for a time that refugee family reunification was being abandoned.

Movement of refugee family reunification cases did resume in July or August of 1986, according to the report, but the number of ODP refugees who departed Vietnam in 1986 was down significantly from the previous two years (see chart).

State Department officials declined to comment specifically on the report. One official told Refugee Reports, "It would be premature to say there would be no refugee family reunification in the future. That would depend on the refugee numbers we have, and the kind of people who are available for processing. But the basic track for family reunification will be the immigrant route."

The USCC report notes two problems that would result from abandoning, or drastically curtailing, refugee family reunification. First, such a change would result in "a near total shutdown of the primary channel...for achieving family reunification." About two-thirds of all family reunification cases entering the United States via ODP have come as refugees.

The second problem raised by the report is that delays built into the U.S. immigration system would force some people to wait several years in Vietnam before their visa numbers became current and they were allowed to enter the United States. People who have applied for exit permits in Vietnam are often treated as "virtual expatriates" by the authorities, according to the report. Many have lost their jobs, homes, food rations, and educational opportunities because they have "given notice that they do not intend to be around for Vietnam's future."

Changes in ODP family reunification criteria "would blindside the people who have already come forward and applied for exit permits on the correct assumption that they were currently eligible for the program," one of the contributing authors of the study told Refugee Reports.

While the USCC report expresses support for increased use of immigration visas for family reunification, it recommends that "future ODP policy continue to include a component for family reunification via refugee processing."

The report further recommends that any changes in U.S. policy should not "retroactively apply more restrictive criteria" on those still in Vietnam who have already been granted exit permits. It cited one "general and rather disturbing indication of the official U.S. stance" regarding exit-permit holders. In an October 1986 letter to USCC, the director of the U.S. Orderly Departure Program in Bangkok wrote, "I do not feel we should feel compelled to take someone simply because of the treatment they

ORIGINS OF THE ORDERLY DEPARTURE PROGRAM

The idea for a legal and orderly means of departure from Vietnam was brought up in December 1978 at a U.N.-sponsored conference in Geneva attended by 37 countries to address the "boat people" crisis. More than 100,000 Vietnamese had already fled their country by sea and were living in crowded and desperate conditions in refugee camps dotting the islands and coastlines of Thailand, Malaysia, Indonesia, Hong Kong, and the Philippines.

Because the United States and Vietnam lack diplomatic relations, negotiations for the program were carried out by UNHCR representatives in Hanoi. On May 30, 1979, UNHCR and the Socialist Republic of Vietnam signed a seven-point agreement outlining the basic mechanisms for the "authorized exit" of people wishing to leave Vietnam. According to the agreement, the program was for "family reunion and other humanitarian cases."

Since 1980, the U.S. ODP program has admitted about 34,000 Vietnamese as refugees, and 16,000 as immigrants. Under the Immigration and Nationality Act, immigrant visas are available in unlimited number to spouses, unmarried children under 21, and parents of U.S. citizens. Additionally, up to 20,000 persons per country are admissible each year through a seven-category preference system.

Refugees in the ODP program must meet criteria in one of three basic categories. The first category, refugee family reunification, includes family members of persons in the United States who are not currently eligible for immigrant visas. Examples are spouses and unmarried sons and daughters of permanent resident aliens, and brothers and sisters of U.S. citizens.

The second refugee category covers former employees of the U.S. government. The third category is for other persons closely associated with the U.S. presence in Vietnam prior to 1975. This includes former military, employees of U.S. businesses and voluntary agencies, political prisoners, and Amerasian children.

The annual admissions ceiling for refugees entering the country via ODP is 8,500 for FY 87.

are receiving from their own government for applying to our program. To do so would be to maintain even less control over ODP than we now have."

The issue of control, or "reciprocity" as it is sometimes called, has plagued the Orderly Departure Program from the outset. The U.S. ODP offices in Bangkok contain files of some 700,000 applications for the program. Lists containing thousands of names are exchanged and reviewed regularly. Each government has its own priorities and political limitations.

Somewhere in the middle of all this are the names of Hung Tran's wife and two young sons. A former U.S. government employee in Vietnam, a reeducation camp prisoner, a boat refugee in 1980, and now a U.S. citizen, Tran (not his real name) has been trying since 1982 to get his wife and children out of Vietnam. In this case, his family's names are on a U.S. list, but the Vietnamese will not give them exit permits. "Both sides seem to have stopped treating this as a humanitarian program," he said. "I feel my family is being held hostage to political concerns."

(Copies of the report, The Orderly Departure Program: The Need for Reassessment, are available for $6.00 each from Migration and Refugee Services, U.S. Catholic Conference, 1312 Massachusetts Ave., NW, Washington, DC 20005. (202) 659-6618.)

Update

° On January 9, the Washington, D.C. Circuit Court of Appeals agreed with the government in its move to dismiss a suit brought by the Haitian Refugee Center against the Reagan Administration's Haitian interdiction program. The suit began in 1981 when President Reagan ordered the Coast Guard to seize certain Haitian boats and return would-be emigrants to Haiti. The Haitian Refugee Center had charged that the interdiction program had violated the Haitians' rights. Two of three judges on the Court of Appeals held that the Haitian Refugee Center lacked standing to sue.

° On December 31, the Bangkok Post reported that Vietnamese troops shot and killed 43 Hmong trying to cross the border into Thailand at Nong Khai Province. Survivors said that a Vietnamese platoon opened fire on a group of 76 people trying to flee from Laos. Of the group, which included women and children, 19 reached Thailand; 14 were captured by the Vietnamese. The Post reported that the survivors--9 men and 10 women--have since crossed back into Laos "to take revenge on the Vietnamese." The leading Lao daily, PASASON, called the report an "utterly groundless fabrication."

° On November 14, a total of $137.2 million was pledged for UNHCR's 1987 programs by 34 governments, an increase of $44.9 million over last year's pledges. Although six fewer governments contributed, many major donors increased their pledges. The United States pledged $68.8 million for the UNHCR general program.

° The 1986 Nansen Medal, the foremost award for refugee protection, has been awarded to the people of Canada. It is the first time that the Nansen Medal has been awarded to an entire nation. Canada will donate the $50,000 prize to UNHCR to train refugee women in Africa.

° Polish nationals residing in the United States have been accorded a further six month renewal of "Extended Voluntary Departure," a temporary stay of deportation granted at the discretion of the Attorney General. Some 7,000 Polish nationals are believed to be affected by the EVD renewal, which expires on June 30, 1987.

° On January 20, Rep. Joe Moakley (D-Mass.) introduced a bill (H.R. 618) providing a temporary stay of deportation--Extended Voluntary Departure--for Salvadoran and Nicaraguan nationals in the United States. The bill is similar to one introduced in the 99th Congress which passed the House as an amendment to the immigration reform bill. The amendment was omitted, however, in the Senate/House conference committee's final version of the bill.

On the same day, Sen. Dennis DeConcini (D-Ariz.) introduced a similar measure (S. 332) calling for a temporary stay of deportation of Salvadorans pending the outcome of a GAO study. The DeConcini bill does not refer to Nicaraguans. In a press conference, DeConcini said that he wanted to introduce a bill identical to the one he introduced in the last session of Congress, but that he would not object to including Nicaraguans at some later point.

° Effective December 12, 1986, employment is authorized for members of nationality groups granted blanket extended voluntary departure (EVD), according to a notice from the Immigration and Naturalization Service (INS) published in the December 12 Federal Register. This authorization applies to Ethiopians, Afghans, and most Poles, according to INS officials. Ugandans, and others for whom EVD has expired as a group, but who remain in the United States following an INS review of their individual cases, are not eligible for the benefits of this rule. Individuals not covered by the rule may still apply for work authorization through INS district offices, however. The rule provides employment authorization by adding a new paragraph to 8 CFR 109.1 of the Code of Federal Regulations.

° The INS has agreed to reinstate work authorizations that had earlier been wrongfully revoked for Haitians in Florida, in a September 29 settlement of a class action complaint. The settlement also required the State of Florida to reimburse the Haitians for periods when they had been denied unemployment compensation. An estimated 1,000 Haitians, mostly agricultural workers, are involved. The Haitians had come to the attention of the INS through Project SAVE--Systematic Alien Verification for Entitlement (see Refugee Reports, Vol. VII, No. 9). INS and Florida also agreed not to operate SAVE in a discriminatory manner.

° Since the signing of the Immigration Reform and Control Act on November 6, the number of aliens apprehended at the Mexican border for attempting to enter the United States without proper documentation has dropped dramatically. Following a marked decline in apprehensions in November and December, INS officials surmised that increased border patrols and a higher than normal water level for the Rio Grande river were both factors contributing to the drop. "We'd like to think this is the beginning of a trend," INS Commissioner Alan C. Nelson told the Los Angeles Times, "but it is too early to make that judgment."

° The INS has issued preliminary advice to aliens and employers regarding the pending implementation of the Immigration Reform and Control Act of 1986.

Aliens with a prima facie case of eligibility for legalization or a nonfrivolous claim to special agricultural worker (SAW) status are urged not to leave the country unless granted advance permission by INS. Those with prima facie or nonfrivolous claims to legalization or SAW who are under deportation orders or voluntary departure will not be required to leave, according to the notice. The application period for legalization begins on May 5, 1987, and lasts one year. However, aliens who were apprehended or issued an order to show cause after November 6, 1986, must apply for legalization within thirty days of May 5, 1986 or within thirty days of apprehension or show-cause order, whichever day is latest. SAW applicants apprehended or issued a show-cause order after November 6, 1986 must also apply within thirty days of arrest or show-cause order date, whichever is latest. The application period for SAW will be eighteen months beginning on May 5, 1987.

INS also urges aliens to begin collecting documentary proof of residence in the United States since January 1, 1982. These documents include employment-related papers, utility bills, school records, medical records, and rent receipts. Those submitting false documents face severe penalties including fines and imprisonment. "Only INS can legalize your status," the notice says, warning aliens to avoid persons who claim they can obtain legalization benefits for a fee. "INS will designate qualified organizations authorized to provide assistance," according to the notice, and aliens should "watch and listen" to see which agencies or individuals are selected.

° Michael Myers has recently resigned as Washington Representative of the Immigration and Refugee Program of Church World Service to become Counsel for the Senate Subcommittee on Immigration and Refugee Policy. Myers has been active in Church World Service refugee programs since 1975, and will be replaced in Washington by Kay Bellor.

Recent Developments

ADMINISTRATION REQUESTS LARGE BUDGET CUTS FOR FY 88 REFUGEE PROGRAMS

On January 5, the State Department and the Department of Health and Human Services submitted proposed refugee program budgets for FY 88, showing reductions of $33 million and $87 million, respectively. The State Department cuts could reduce the FY 88 refugee admissions ceiling by as much as 10,000.

The admissions ceiling for this year is 70,000, which includes an unallocated reserve of 4,000 for unanticipated refugee needs. Regional reductions caused by the budget cuts will subtract 5,000 from the Southeast Asia ceiling, 2,500 from Latin America, 1,000 from the Soviet Union and Eastern Europe, 1,000 from the Near East and South Asia, and 500 from Africa (see chart below).

The State Department has requested $314 million for migration and refugee assistance funding in FY 88, down from $347 million in FY 87. The most substantial cut in any single account is a $15 million reduction in funds to support the migration of Jewish refugees to Israel. The emigration of Soviet Jews has dropped to little more than 1,000 per year, according to State Department figures.

Cuts totalling $14 million were also requested for admissions programs, which include refugee processing in first asylum countries, transportation, overseas English language and cultural orientation programs, and reception and placement grants to voluntary agencies in the United States.

No additional funding has been requested for emergency refugee and migration assistance in FY 88. That contingency fund currently has about $20 million, an amount that State Department officials consider sufficient for the coming year.

The Office of Refugee Resettlement (ORR) in the Department of Health and Human Services, meanwhile, has proposed refugee program cuts amounting to $87 million (see chart below). ORR plans to save $45 million by reducing the number of months for which it subsidizes the states' share of costs for refugee cash and medical assistance.

For FY 88, ORR plans to reduce from 31 to 24 months the period for which it will cover the state share of AFDC (Aid to Families with Dependent Children) and Medicaid. For those refugees who do not meet family composition criteria for AFDC and Medicaid, but who are still eligible for refugee medical assistance programs, ORR will reduce the period of 100 percent Federal reimbursement to states from 18 months to 12. An ORR press release on the proposed budget notes that these reductions should provide states with "stronger

Refugee Admissions

Region	FY 1986 Actual	FY 1987 Estimate	FY 1988 Request
East Asia, 1st Asylum	36,954	32,000	27,000
East Asia, Orderly Departure Program	8,500	8,500	8,500
Subtotal	45,454	40,500	35,500
USSR/Eastern Europe	9,500	10,000	9,000
Near East/South Asia	5,998	8,000	7,000
Western Hemisphere	173	4,000	1,500
Africa	1,315	3,500	3,000
TOTAL	62,440	66,000*	56,000

*FY 1987 consultations ceiling includes additional 4,000 unallocated numbers in reserve, which are not funded.

incentives" to assist refugees in achieving self-sufficiency as soon as possible after their arrival.

ORR anticipates an additional $14 million in savings by capping state administration costs at the lowest of three possible rates: the ORR administration rate, the state AFDC administration rate, or the national AFDC administration rate. A budget official with the Family Support Administration in HHS told Refugee Reports that he expects states may fight this proposed cap.

The FY 88 budget for social services will also be reduced from $69 million to $45 million. The official said this proposed reduction is based on the lower projected refugee admissions levels for the coming fiscal year. An additional reason, according to the official, is that the social services budget has been "frozen" for four years at roughly the FY 83 funding level, when the refugee admissions ceiling was 90,000. This level was maintained through four years of funding under continuing resolutions.

Cuts amounting to $2 million each have been proposed for the voluntary agency matching grants program and the preventive health programs.

The refugee reauthorization act, passed in October 1986, deleted funding authorization for the targeted assistance program for FY 88. The act also transferred budget authority for education assistance programs to the Department of Education (see story p. 12).

ORR Refugee and Entrant Assistance Program: Proposed Budget for FY 88

(Budget Authority in millions)

	1986	1987	1988	Change
Cash and Medical Assistance.............	$225	$225	$180	-$45
State Administration....................	34	34	20	- 14
Social Services.........................	68	69	45	- 24
Voluntary Agency Programs...............	4	4	2	- 2
Targeted Assistance.....................	48	--	--	--
Preventive Health.......................	8	8	6	- 2
Total Budget Authority..................	$387	$340	$253	-$87

AFGHAN REFUGEES PUSHED AND PULLED, BUT APPEAR TO STAY PUT

Events in December and January have introduced an element of uncertainty into the lives of Afghan refugees in Pakistan, who, until now, have remained in a relatively stagnant situation during the preceeding seven years of exile.

In December, at least 200 people were killed and thousands injured and arrested in intercommunal violence involving Pathans --many of whom were identified as Afghan refugees. A series of attacks and counterattacks escalating into full-scale rioting occurred in Karachi between Pathans and Muhajirs, an Urdu-speaking minority itself comprised of refugees from the 1947 partition of India and Pakistan. Government troops swept through Karachi rounding up about 20,000 Afghan refugees and moving them into tents on the outskirts of the city. Some 2,500 shelters housing Afghan refugees were bulldozed. It was reported that they would be moved to camps closer to the border.

Although most of the reported conflict occurred in the Sind and Baluchistan provinces, 75 percent of the Afghan refugees are located in the Northwest Frontier Province, where the local host community is also predominantly Pathan. During this past spring, however, tensions were high there as well because of a rash of terrorist bombings which threw urban centers such as Peshawar into turmoil.

The bombings created a wedge between Afghan refugees and local residents. Until these events, the refugees had become an integral part of Peshawar, nearly doubling the city's population and creating an economic boom. The bombings, however, caused

Pakistan security forces to remove groups of Afghan refugees from the city.

Many saw the terror campaign as an organized effort by Afghan secret police to sow fear and instability in order to lessen Pakistan support for Afghan refugees and resistance groups.

Following the accession to power of Najibullah in 1986, there has also been a marked increase in the number of Afghan border violations. Targets of cross-border shellings and bombings have included refugee camps.

Najibullah Issues Call for Return of Refugees Added to the pressures within Pakistan has been a concerted effort by the Soviet-backed Afghan regime to seek the return of the refugees. For the first time in the seven-year war, the Afghan regime has unilaterally declared a ceasefire.

In a January 15 speech, Najibullah appealed to the refugees to return home, saying, "Afghanistan should and will become the common homeland of all our compatriots living all over the world." The Afghan leader announced a series of incentives to encourage refugees to return, including a one-year moratorium on land tax collection and a six-month exemption from military service. He also announced a blanket amnesty for prisoners serving sentences of less than five years.

A January 16 Christian Science Monitor report, datelined from Paris, said that hopes of returning home have spread among the three million refugees in Pakistan in the aftermath of the Najibullah speech. The report cited observers as saying that "some guerrilla, village, tribal, and even Peshawar-based leaders may accept Kabul's offer."

Sources in the United States close to the the Afghan refugee population told Refugee Reports they disagreed. "I don't think people who fled would be deceived," said Abdul Haqiqi, of the National Islamic Council of Afghan Immigrants in America and an official of the Afghan Ministry of Finance from 1973 to 1979.

Mohammad Akbar Andkhoie, formerly director general of the Afghanistan Bureau for Census and currently an employment counselor for the New York Afghan Mutual Assistance Association, said, "Najibullah martyred more than a million Afghans, and everyone knows he has blood on his hands. No one will follow his trick to bring division to the resistance." Andkhoie said that the refugees would follow the lead of the resistance leaders in Peshawar, Pakistan.

In Peshawar, the leaders of the seven main resistance groups held an unprecedented rally on January 17 to denounce the Najibullah initiative. Far from sowing disunity within refugee ranks, Najibullah's move appears to have unified--at least temporarily--the notoriously fragmented opposition.

Pakistan's Commissionerate for Afghan Refugees said that "only a few" refugees had repatriated, according to the Washington Post. As of January 18, Najibullah himself had acknowledged the return of only 120 families and 2,500 resistance fighters.

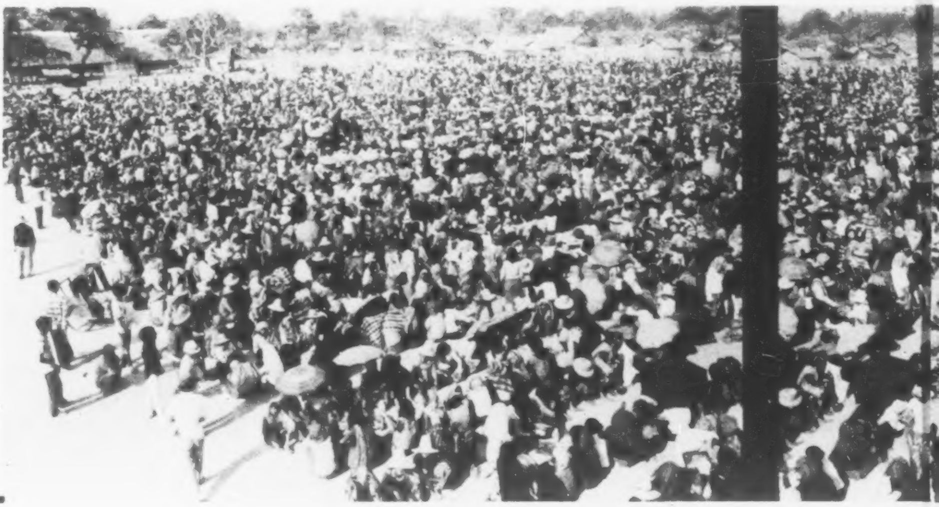
Although the moves by the governments of Afghanistan and Pakistan--especially when taken together--leave the impression that Afghan refugees face increased pressure to return home, informed observers say such a conclusion is not warranted at this time.

"They would never be able to be forcibly repatriated," said Henry Kriegel, acting executive director of the Committee for a Free Afghanistan. Although Kriegel noted that Pakistani President Zia al-Haq is feeling increasing pressures, both political and economic, he said, "I would hope that he would see through Soviet efforts to exploit the refugees to bring about a more favorable negotiated settlement.

THAILAND CLOSES KHAO I DANG, PLANS GRADUAL RELOCATION TO THE BORDER

The Khao I Dang camp for Cambodian refugees was officially closed on December 31, 1986, but according to U.S. refugee officials in Washington and Bangkok, Thai authorities do not plan to move legal residents to Cambodian border camps for at least six months. This contradicts several recent news stories that had reported a more rapid evacuation of Khao I Dang.

In a press release dated the day of the closing, the Thai government cited "the growing number of illegal entrants and the



Cambodians in Site 2 line up for a head count.

Photo Credit: Bill Burke

slow rate of resettlement in third countries" as reasons for closing Khao I Dang. Its closure "will remove false hope of eventual resettlement" that had been drawing a steady flow of illegal arrivals into the camp.

One unresolved issue in Khao I Dang's closing concerns the status that former camp residents will have once they are moved to the border. Currently, all of the Cambodians along the border have been designated by the Thai government as "displaced persons" rather than "refugees." As such, they are not allowed to apply for resettlement. However, a U.S. refugee official in Thailand suggested that the Thai government is willing to show some "flexibility" on this and may allow continued access for resettlement processing to at least some of the Khao I Dang residents who are moved to the border.

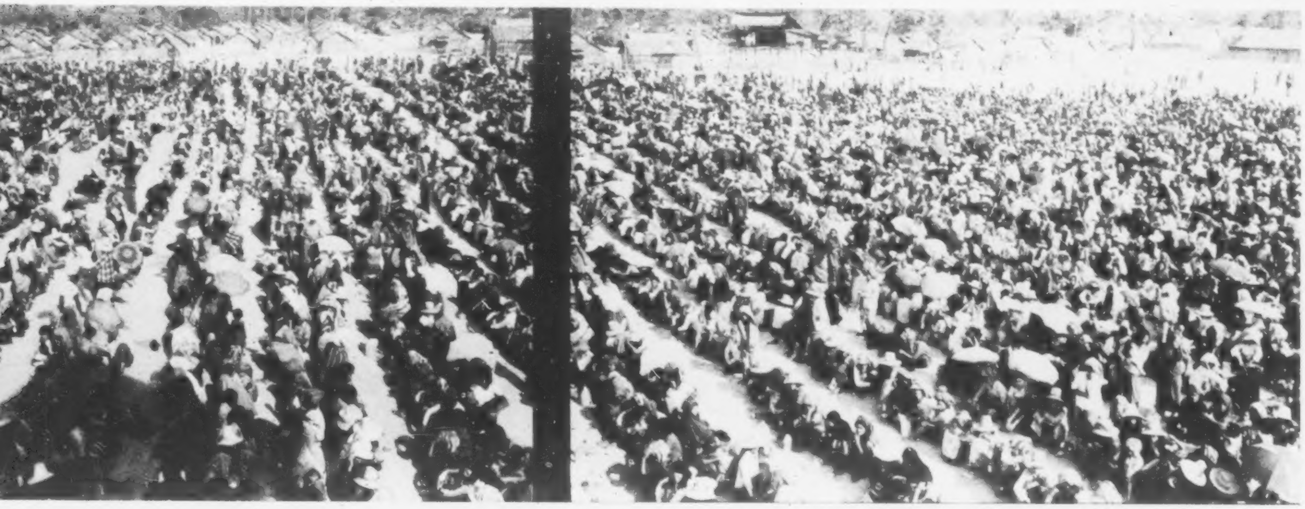
In a December 29 press conference, Prasong Soonsiri, secretary general to the prime minister of Thailand, outlined plans to relocate Khao I Dang residents in phases. First to go will be more than 300 "illegal" arrivals, who entered the camp within the last year. This group will be moved to Site B, a border encampment in Surin province that is controlled by Cambodian resistance forces loyal to Prince Norodom Sihanouk. Site B currently has a population of around 40,000.

The second group to be moved from Khao I Dang are the so-called "ration card holders," 7,100 Cambodians who entered the camp between August 1984 and October 1985. They are considered legal residents of Khao I Dang and are eligible to receive food rations and other basic camp services.

Until recently, Thai authorities had not allowed ration card holders to be interviewed for third-country resettlement. However, in a December 19 meeting with U.S., Canadian, and Australian delegations, a senior member of the Thai National Security Council indicated that ration card holders with family members among the other two legal resident groups in Khao I Dang would be permitted to be interviewed by third countries.

A U.S. refugee official in Thailand said it is likely that the ration card holders will be allowed to remain in Khao I Dang for as much as six to eight more months. Prasong indicated that the group, and all other legal camp residents, will be given a choice of moving either to Site B or to Site 2, a border camp of more than 140,000. Site 2 is under the control of the KPNLF, or Khmer People's National Liberation Front, a noncommunist resistance faction led by Son Sann.

The last to be moved from Khao I Dang are those who have been there the longest. This includes about 3,000 "family card holders" who arrived between 1982 and 1984, and about 15,000 of the original residents, many of whom have been in Thai refugee camps for six years or more. Most of the original residents have been rejected for resettlement by at least one country.



In the December 19 meeting, a Thai official indicated that these two groups will be allowed to stay in Khao I Dang for at least 12 to 15 months.

Several voluntary agency officials have expressed hope that resettlement countries, and particularly the United States, will use the period to increase refugee processing for Khao I Dang residents in the coming months.

"I look at this present grace period as a last-gasp opportunity," said Robert DeVecchi, director of the International Rescue Committee. "I am in favor of processing the ration card and family card holders, and I also think the U.S. needs to take a new look at the rejected caseload."

INS PROPOSES RULE CHANGE ON ADMISSION OF REFUGEES

Some individuals who are admissible to the United States as immigrants may no longer be permitted to enter as refugees, according to a rule change proposed by the Immigration and Naturalization Service (INS) in December 1986. Several refugee advocacy groups have expressed concerns that the change could serve to undermine refugee status as outlined in the Refugee Act.

The proposed rule, published in the December 12, 1986 Federal Register, would amend federal regulations to the effect that "any applicant for refugee status... who may be eligible for classification under [the immigrant preference system of the Immigration and Nationality Act], and for whom a visa number is now available or may become available within twelve months, shall not be admitted as a refugee unless the Attorney General has determined that it is in the public interest."

Current INS regulations already preclude refugee processing for persons who qualify as immediate relatives and special immigrants. Immediate relatives are defined by INS as spouses, parents, and unmarried children under 21, of U.S. citizens. The proposed rule change would extend that principle to other relatives who fall into certain of the seven preference categories established by the Immigration and Nationality Act.

It is likely that the change primarily would affect the married and unmarried sons and daughters of U.S. citizens (the first and fourth preference categories). Spouses and unmarried sons and daughters of permanent resident aliens (second preference category) would continue to be eligible to enter the country as refugees.

"The proposed rule is inconsistent with the Refugee Act," according to Arthur Helton of the Lawyer's Committee for Human Rights. Helton argues that the rule "would create a category of refugees who could be deprived of protection via admissions on grounds unrelated to the provisions and purposes of the Refugee Act." He indicated that the use of immigration alternatives for refugees "may be relevant on a case-by-case basis," but the presence of family in the United States should not become a "categorical barrier" to admission as a refugee.

Robert Rubin of the Lawyers' Committee for Urban Affairs in San Francisco expressed concern that the determination that an applicant "may be eligible" for an immigrant visa "could be made solely because the individual has a close relative in the United States without regard to whether that relative will actually be able to sponsor the applicant." Rubin noted that a number of relatives may not be able to meet the financial criteria necessary for filing affadavits of support, and would thereby be rejected for an immigrant visa. He suggested that the rule be amended to apply only to applicants "who have approved visa petitions."

Both Rubin and Helton were critical of the delays that might be imposed on the entry of refugees into the United States if they are required to wait up to 12 months for their visa number to become current. Rubin recommended that "a visa number be 'immediately available' before one is forced to forego refugee processing."

Public comments on the proposed rule change were due at INS by February 10. An INS official told Refugee Reports that the agency would not discuss the rule until all comments had been received and reviewed.

ADMINISTRATION SEEKS FUNDING FOR ALTERNATIVES TO BILINGUAL EDUCATION

The Reagan administration submitted a legislative proposal to Congress on January 15 to lift the 4 percent limit on bilingual education program funding for alternative methods of instruction, such as English-as-a-second language (ESL).

Secretary of Education William J. Bennett outlined the proposal in a January 15 speech to the Texas Education Conference in San Antonio. "Our reforms would restore to the Bilingual Education Act a respect for flexibility as to the best means of teaching English," he said. "They would restore the Act's original respect for local autonomy."

Under the current law, 96 percent of the $143 million federal bilingual program is restricted to native language instruction (see Refugee Reports, Vol. VII, No. 1). Bennett said that greater flexibility in instructional approaches would better enable children to achieve rapid fluency in English.

The proposal has caused some concern, especially among the Hispanic community, as a perceived attack on the bilingual education program. Raul Yzaguirre, president of the National Council of La Raza, one of the largest national Hispanic organizations, said, "The secretary of education is once again attempting to render ineffective the bilingual education program."

Rep. Robert Garcia (D-NY), a member of the Congressional Hispanic Caucus, said, "Eliminating the cap would be the first step toward eliminating the bilingual education program." Garcia said the proposal is "not so much flexible as it is ideological."

Bennett's choice of the San Antonio conference, cosponsored by, among others, the League of United Latin American Citizens (LULAC), demonstrated his awareness of Hispanic sensitivity about the program. He told the conference, "Our reform has been portrayed as an attack on bilingual education. This is false." He told the largely Hispanic audience, "Our intention is neither to promote one instructional method at the expense of another, nor to belittle or diminish any culture or heritage."

He said that research has been inconclusive about the most effective methods of instruction for students with limited English proficiency. He said, "We believe that where research does not dictate one method, the federal government should not dictate either."

Bennett said that another incentive for allowing more diversity in methods of instruction and greater latitude for local choice of teaching methods is the increasing linguistic diversity of school populations. "For many districts," he said, "indeed for many schools, teaching students of limited English proficiency is not simply a matter of teaching English to 200 students speaking Spanish or French or Chinese. Rather, in a single school there will be students with a dozen different linguistic backgrounds." He pointed out that in Fort Worth, Texas, students speak not just Spanish, but also Khmer, Laotian, and Polish.

Education Department Requests Return of Funds Appropriated for Immigrant and Refugee Education Almost simultaneously with the San Antonio speech and legislative proposal, the Department of Education called for the rescission of nearly $46 million in FY 87 funding for immigrant and refugee education. Department of Education sources said that they had never requested emergency immigrant aid and believed it duplicates services already funded through Title VII of the Elementary and Secondary Education Act.

Unlike the remainder of federal funding for bilingual education, the appropriation for refugee and immigrant children had been exempt from the 4 percent cap in alternative instructional methods. Local educational agencies funded through the immigrant and refugee education programs had been free to determine the instructional methods they thought most suitable, most of which did stress ESL methods over transitional bilingual education. The new legislative proposal essentially would give the same latitude to local educational agencies as had been enjoyed by those schools that had been funded to teach immigrant and refugee children.

FIRST CUBAN DETAINEES PAROLED FROM OAKDALE

Twenty Cuban detainees have been paroled out of the Oakdale, Louisiana, detention facility and into a halfway house in Detroit, Michigan, according to Justice Department and Bureau of Prisons officials. Others are being reviewed for parole as well. Nearly 350 Cuban detainees have arrived at Oakdale since November and another 200 are expected.

Most of the Cubans at Oakdale have violated previous paroles, Justice officials said. They were previously in the Atlanta federal prison, state and local jails, and Immigration and Naturalization Service (INS) processing centers throughout the nation. All are males in their twenties or thirties, according to Ray Rowe, associate warden at Oakdale.

Five halfway houses participate in the program, which began in 1981, according to Fran Eno, of the Justice Department's Cuban/Haitian Entrant Program. Each month a parole committee, consisting of Justice Department and halfway house personnel, "look for people who have an orientation for improvement," and for those who are "inclined toward employment," Eno said. Participation in educational programs such as ESL is favorably viewed, but "it also depends on how a person comes across," she said. Other factors play a role as well, she said, including a detainee's educational level, family ties in the United States, and performance during his past parole. Detainees are also evaluated for antisocial behavior by a unit of the Public Health Service.

Those granted parole spend the first four months as halfway house residents. When employment is found, parolees are placed in the community. "Technically, they owe one year to the INS district director," Eno said. Those who violate the program enter an uncertain legal status, she said.

A number of non-Cuban undocumented aliens remain at Oakdale, awaiting changes of venue or appeal decisions, Rowe said. Several hundred have already been released on bond, deported, or moved to INS processing centers. He said he did not know when those remaining would leave. Meanwhile, contruction proceeds inside Oakdale on the 160-bed Mental Health unit, which will replace the existing unit in the Atlanta federal prison.

Projects and Programs

RCA TRAINS REFUGEES IN EMPLOYMENT SKILLS

Refugees in New York City have the opportunity to train for office jobs through a program of the Radio Corporation of America Government Services.

Although RCA has been involved in business training since World War II and has been active in teaching vocational English as a second language (VESL) for more than ten years, its work specifically with refugees started several years ago with federal funding through the Targeted Assistance Program.

The office skills training program, currently funded through the City of New York's Job Training Partnership Act (JTPA), offers 50 refugees a six month, six-hour-a-day course to learn skills such as bookkeeping and to polish their English. "We take refugees in dead-end jobs and train them for promotable jobs," said Katherine Quinones, VESL coordinator for RCA Government Services.

"We have learned in working with refugees for three years that training in use of the phone is just about the hardest thing," Quinones said. She said that RCA has had much better success in working on math-related job skills, and now emphasizes training on microcomputers and in automated accounting. "We have been able to place refugees with Wall Street brokerage firms and other areas of financial services," she said.

A major obstacle for job placement has been the lack of "checkable" job experience, according to Quinones. In order to strengthen resumes and obtain good job references, RCA encourages the refugee students to take unpaid internships with area companies during the training period. "The companies have been extremely cooperative," she said, noting the well-deserved reputation of refugees "to work harder than anybody."

For more information, contact RCA Government Services at 221 W. 41st St., New York, NY 10036. (212) 398-8985.

Meetings and Conferences

° The Immigration Reform and Control Act of 1986 will be the theme of the third annual immigration law conference to be held at the Tulane Law School, New Orleans, Louisiana, February 25, 26, and 27. The conference will operate on a two-track system for basic and advanced levels, and will include sessions on asylum, deportation, and legalization. For further information, contact Tulane Continuing Legal Education, 6325 Freret Street, New Orleans, Louisiana 70118. (504) 865-5900.

Resources

AFGHAN CHILDREN VICTIMIZED BY WAR

Seven years of fighting has produced a new generation of Afghan children marked by the scars of war. These children, often orphaned, wounded, exploited, or displaced, are the subject of a new report from Helsinki Watch/Asia Watch.

To Win the Children: Afghanistan's Other War is based on three fact-finding missions to the Afghan border in the past two years and reflects interviews with hundreds of Afghan refugees. Excerpts from childrens' testimonies, together with photos of those being interviewed, give the publication a personal tone.

"Many Afghan children," the publication reports, "have become refugees within their own country, driven from their homes and villages and herded into cities where they live confused and impoverished lives. Millions more have made the arduous journey to Pakistan, where they live in camps, without purpose or direction. Many of the children have had to walk for weeks or even months before finding refuge. They are without possessions, tired, often hungry. They bear visible scars of war: wounds, burns, amputated limbs, blindness."

The report documents the use of booby-trapped toys that maim and kill children. It acknowledges that the practice of using toys to kill is so outrageous an idea as to seem incredible, yet it concludes, "Helsinki Watch has received scores of testimonies about such weapons, from credible witnesses who often had no notion of the significance of what they were reporting."

Beyond the obvious physical effects of war shown on the faces and bodies of the Afghan children, the report also discusses the emotional and psychological toll. The report highlights several cases of children at the Psychiatry Center for Afghans in Peshawar suffering from psychosomatic disturbances, depression, nightmares, behavior disorders, and hyperactivity traced to the trauma of war and emigration.

Although children are almost by definition civilians, the report shows how in Afghanistan they are used as spies and assassins. Several captured child spies are interviewed in the report. Also featured is the program of sending an estimated 2,000 Afghan children per year to the Soviet Union for training and indoctrination. Although some of the children go voluntarily with the blessings of their parents, the report charges that others "have been taken from their homes by agents of the secret police or seized on the streets, never to be seen again."

To Win the Children is available for $10 from Helsinki Watch, Box A, 36 W. 44th St., New York, NY 10036. Also available from Helsinki Watch are "Tears, Blood and Cries": Human Rights in Afghanistan Since the Invasion: 1979-1984, for $10, and To Die in Afghanistan, for $8.

NEW BOOK PUBLISHED ON THE KHMER ROUGE REVOLUTION IN CAMBODIA

Elizabeth Becker has called herself "the only Westerner to witness Cambodia in all of its recent stages of misery." As a reporter for the Washington Post, Becker covered the war in Indochina for two years. Later, in December 1978, she was one of two Western journalists allowed to visit Cambodia while Pol Pot and the Khmer Rouge were in power. Two days after she left Cambodia, the Vietnamese invaded. Becker since revisited the country in 1983 while it was under Vietnamese occupation.

Her book, When the War Was Over: The Voices of Cambodia's Revolution and its People, published in 1986 by Simon and Schuster, is the result of seven years of writing and investigative research. Part narrative, part history, part personal testimony, the book offers a "cautionary tale" of how a totalitarian, racist, and insanely brutal regime came to power in 1975 and launched a revolution that was to leave more than one million Cambodians dead in the wake of its fury.

Outside of Cambodia, the regime became known as the "Khmer Rouge," and its leader, as Pol Pot. Inside Democratic Kampuchea, as the country was renamed, the people submitted to the "Angka," the "Organization." A saying was often repeated, "Angka has as many eyes as a pineapple and cannot make mistakes."

Angka did have many eyes, but as Becker points out all of them were blind to the huge mistakes of the revolution. Only hours after Phnom Penh fell to the Khmer Rouge on April 17, 1975, the people were ordered to leave the city immediately. Almost overnight Phnom Penh became a ghost town. Cambodia had begun its withdrawal not just from the international community but "in fact from the twentieth century."

Elizabeth Becker describes her book as an attempt to tell "the full story" of "who the Khmer Rouge are, how they fit in their own country's history and in the communist movement, how and why they imposed such a destructive revolution in Cambodia, and how that revolution led to war with Vietnam and Vietnam's occupation of Cambodia."

In charting the rise of the Khmer Rouge, Becker does not dismiss the "self-serving maneuvers and miscalculations" of foreign powers, particularly the United States and Vietnam. But she argues that "while the United States and Vietnam do share responsibility for much of Cambodia's sorrows, ultimately Cambodians were the victims of their own leaders and their own traditions and history." She traces the long history of "quarrelsome, despotic rulers" beginning with Jayavarman VII, the builder of the awesome temples of Angkor Wat. Within this ancient tradition of the "god-king", the "brief and corrupt experiment of Lon Nol's Khmer Republic and the false democracy of Sihanouk barely mattered." The Khmer Rouge, argues Becker, were "the heirs of the worst in Cambodia's past."

SOURCEBOOK TRAINS BILINGUAL EDUCATORS

Bilingual Education: A Sourcebook, a comprehensive resource for professionals involved in bilingual education, provides not only training materials, but also a basis for understanding the pedogogical and political contexts within which bilingual education in the United States now operates.

In addition to presenting models and materials for teaching and testing for such components of bilingual programs as reading, bilingual vocational education, English-as-a-second-language, and special education, the book also provides historical background, legal issues, and even a section on "antibilingualism."

Each chapter includes references and annotated bibliographies. Appendices list curriculum materials, organizations, and journals in the field.

The 340-page clothbound reference text is available for $50 from Garland Publishing Company, 136 Madison Avenue, New York, NY 10016. (212) 686-7492.

Orderly Departures From Vietnam
(Source: UNHCR)

Country	FY 80/81	FY 82	FY 83	FY 84	FY 85	FY 86	Total
U.S.	2,330	4,260	6,708	12,708	13,871	10,541	50,418
Canada	1,412	2,252	2,471	7,404	6,547	3,768	23,854
France	5,580	2,680	1,897	1,431	1,263	1,049	13,900
West Germany	1,065	1,214	1,306	1,931	1,206	715	7,437
Australia	131	15	841	2,268	2,383	2,876	8,514
Belgium	815	643	449	367	189	83	2,546
U.K.	298	367	656	797	364	263	2,745
Sweden	535	266	213	202	103	127	1,446
Netherlands	228	118	143	224	158	68	939
Switzerland	354	104	99	110	36	36	739
Norway	49	115	95	283	208	117	867
Italy	146	48	183	111	51	41	580
New Zealand	36	53	153	219	177	183	821
Austria	132	107	95	93	70	17	514
Others	305	230	322	192	169	130	1,348
Total	13,416	12,472	15,631	28,340	26,795	20,014	116,668

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February 20, 1987

U.S. RESETTLEMENT OF LATIN AMERICAN REFUGEES STILL STALLED, AFRICAN REFUGEE RESETTLEMENT GOING SLOWLY

In response to criticism of the U.S. refugee program from members of Congress and others that relatively few refugees from Africa and Latin America have been processed for U.S. resettlement, the State Department and the Immigration and Naturalization Service (INS) have begun to pay increased attention to locating eligible refugees of concern to the United States from these regions.

The stage for more responsive processing from Africa and Latin America was set during last year's annual refugee consultations between Congress and the Reagan administration when Secretary of State George P. Shultz announced that the FY 87 refugee program would include "expanded refugee admissions from Latin America and the Caribbean" and "an increased ceiling for Africa to accommodate African refugees located far from processing posts in Africa, and those who have been stranded in Europe for several years."

In Latin America and the Caribbean, where not a single, non-Cuban refugee was processed for admission to the United States last year, certain measures have been introduced which could result in some non-Cuban refugee admissions for FY 87. A total of 1,000 places in the regional admissions ceiling of 4,000 have been set aside for non-Cubans.

The United States has also expanded the number of priority categories used to consider whether to admit refugees into the country (from P1-P2 to P1-P4). The additional categories to be used include spouses, unmarried children, and parents of U.S. citizens, legal permanent residents, refugees, and asylees residing in the United States and refugees formerly employed by the U.S. private sector. In the past, the priority categories used for Latin America have been more restrictive than for any other region--essentially limited to people in immediate life-threatening danger, political prisoners, and former U.S. government employees.

Before a person can be considered from these priority categories for admission to the United States, he first must meet the definition of a refugee in the Refugee Act of 1980--the "well-founded fear of persecution" standard.

IN THIS ISSUE:

This issue analyzes the reasons for the low level of refugee admissions to the United States from Africa and Latin America..........1

- Recent Developments

Thailand indicates resettlement opportunities for Lao refugees to be limited; Court reverses deportation of Salvadoran torture victim...5

- Update.................7
- Current Research

Ethiopian asylees and refugees in the United States compared; Characteristics of Afghan, Ethiopian, Polish, and Romanian refugees in the United States analyzed......8

- Projects and Programs

Mental health awareness integrated into ESL teaching...10

- Reader Exchange.....12
- Resources............13
- Statistics

Cumulative summary of refugee admissions to the United States FY 75-present.......16

The applicant must also be among the refugees determined to be "of special humanitarian concern to the United States." Last year, only Cubans were listed as being "of special humanitarian concern" in the Latin America/Caribbean region. This year, the State Department's directive to the field stated, "Until further information is available, [the] Department does not plan to designate Latin American groups which are of special humanitarian concern to the USG."

A State Department source said, "We are trying to get away from designating nationalities as being of special humanitarian concern. We are willing to look at any Latin American who comes forward."

No Latin American Refugees Processed in First Quarter FY 87 Despite these new initiatives, actual admissions from Latin America for the first quarter of FY 87 are no different than the previous year--zero.

The State Department issued a cable in November to U.S. diplomatic posts in Latin America asking them to quantify the size of local refugee populations and to assess the appropriateness of the U.S. resettlement option for them. The State Department cable said that those most in need of U.S. resettlement would likely be "refugees of all nationalities who are or were political prisoners." It also suggested that "many displaced individuals in Central America could also be considered potentially eligible."

A source in the State Department indicated that the responses from consular posts in the region "have not laid out a large number of possibilities for resettlement." In fact, one source said, "None were brought specifically to our attention." Another State Department source surmised that posts in the region are not familiar with the overseas refugee admissions program, the procedures, or the need.

The State Department also requested Latin America consular posts to assess available consular resources for prescreening and preparing individual refugee applications for presentation to the INS. Unlike other regions from which refugees are processed for U.S. resettlement, Latin America has not had the presence of Joint Voluntary Agency (JVA) personnel to help in preparing refugee cases for INS interviews. The State Department, however, is now asking the UNHCR and private voluntary agencies in the region to help in identifying potential refugees for U.S. resettlement.

UNHCR does not favor resettlement as a major solution in Central America, according to a Joachim Henkel, head of the UNHCR liaison office in Washington, D.C. "It could be helpful for a limited number of persons," he said.

UNHCR has suggested to the United States that in addition to family reunification, there may be some "security cases"--about 100--involving refugees who cannot safely stay in their country of first asylum and also some cases of refugees who can only receive proper medical care in the United States. In addition, UNHCR has identified Ladino refugees in Honduras and Costa Rica as possible candidates for resettlement because local integration appears not to be an option for them.

Resettlement is Option of Last Resort U.S. government officials point out that third-country resettlement is the option of last resort for resolving refugee situations.

Following the lead of the UNHCR, the United States holds that voluntary repatriation is the most preferable option, followed by local integration within the same region as the refugee's home country. Only when these first two "durable solutions" are not possible, should third-country resettlement be considered.

The U.S. government's preference for voluntary repatriation and local integration for Latin American refugees came under sharp attack from Sergio Aguayo of El Colegio de Mexico at a February 5 conference on Central American migration at Texas Lutheran College in Seguin, Texas.

"It's not the time for regional solutions," he said. According to Aguayo, the United States' push for regional solutions to the problems of Central America's refugees, ignores its own responsibilities to them.

INS Conducted No Interviews of Non-Cuban Latin American Refugees in FY 86 INS represents the other side of the overseas processing picture. Through the authority granted to the Attorney General by the

Refugee Act of 1980, INS is legally required to make determinations for admission of refugees to the United States. However, there are at present INS offices only in Mexico and Panama. In FY 86, those INS officers conducted no interviews of any non-Cuban refugees to determine whether they should be admitted to the United States, according to an INS source. The source said that as a result of the Immigration Reform and Control Act new INS offices would be established in the region, and that new processing posts could be designated. The source declined to say where the new offices might be located.

Doris Meissner, senior associate with the Carnegie Endowment for International Peace and former executive associate commissioner of INS, told *Refugee Reports* that attempts to process refugees equitably from the region will be difficult given the overall rigid policy on Central America.

"It would take an entire turnaround on the foreign policy front to bring about a different pattern in refugee decisions," Meissner said. "The line officers are locked into thinking about Central America as an area of civil strife which people leave for economic reasons. They discount the fear of persecution and disallow gray areas."

Patricia Weiss Fagan, staff associate of the Refugee Policy Group, said, "I think the U.S. government is genuine in wanting refugees from Central America if for no other reason than to deflect criticism of its policies." She also said that third-country resettlement would be "an important gesture" to receiving countries, such as Honduras and Costa Rica, which have been feeling the strains of increased refugee flows.

A State Department source said, however, "We don't want to exacerbate the situation by creating a magnet that would draw out economic migrants hoping for U.S. resettlement" and thereby create even more difficulties for host countries such as Costa Rica and Honduras.

African Refugee Resettlement Program Moving Slowly Although not as dramatic a shortfall as in the Latin America and Caribbean region, only 1,315 refugees from Africa were resettled in the United States in FY 86, out of a regional ceiling of 3,500. The overwhelming majority, 1,285, were Ethiopians, mostly living in the Sudan. In the past year, small numbers of refugees from Angola, Malawi, Mozambique, Namibia, South Africa, Uganda, and Zaire were also admitted. In the first quarter of FY 87, a total of 232 African refugees were admitted out of an annual regional ceiling of 3,500. Again, the vast majority, some 83 percent, were refugees from Ethiopia in the Sudan.

Lance Clark, staff associate of the Refugee Policy Group, said, "I personally find it hard to accept the decision to resettle Ethiopians overwhelmingly from eastern Sudan. There are certainly substantial numbers of people in other African countries who are in even greater risk."

Refugees in Djibouti in Jeopardy Clark said, "In no place in Africa is the tension and frustration level higher than in Djibouti, nor in any other place are political refugees in greater jeopardy of being returned home to a desperate situation."

A person who works in a nongovernmental capacity with refugees in Djibouti recently returned from the country and spoke with *Refugee Reports* about the situation. He indicated that since the issuance of a government circular on July 29 requiring refugees to register as part of a "voluntary repatriation" program, only about 600 refugees have voluntarily come forward and been repatriated. More than 90 percent of these have been Gurgura people from rural areas.

This source said, however, that urban refugees were in a much more vulnerable position, and continued to have well-founded fears of individual persecution if returned to Ethiopia. He said, "There are no real safeguards for these political refugees." He said that since Djibouti had issued an official government decree on the repatriation issue, and since they are having elections in 1987, "it would look bad if they didn't carry out the program."

This person was especially critical of UNHCR, which, he said, "wants to repatriate as many as possible." He said that UNHCR has not been issuing ID cards for refugees. In one recent incident, he said that 120 Ethiopians without refugee cards were rounded up in the Ethiopian quarter of

Djibouti-Ville, put in a steel freight train container and repatriated. At least six of them died of suffocation en route.

Another recent visitor to Djibouti, also from the private sector, who interviewed UNHCR staff, church workers, and refugees, said that "since it is widely recognized that the government of Djibouti will not force repatriation of either Afar or Issa refugees [each of which has made deals with the government], it is assumed that the current campaign must be aimed against political refugees." He said that "UNHCR has done nothing to dispel this view, giving no assurances about the safety of political refugees or about continuation of their status."

This observer spoke of an "anti-alien atmosphere" in the country, and said that December was a period of "real terror in the Dikhil camp." He added that there has been "a total breakdown of confidence in UNHCR on the part of the refugees."

UNHCR's Henkel told *Refugee Reports*, "We are aware that there are still refugees in need of protection and assistance in Djibouti who fall within the 1951 UN Convention refugee definition and who have been recognized on this basis." He added, "The government of Djibouti has assured us that it will continue to grant asylum to new arrivals who meet the internationally recognized refugee definition and that it will request the international community to maintain its assistance for those refugees who wish to stay."

A State Department source said, "We are satisfied that the repatriation program is voluntary." She said that the refugee leadership is now "more enthusiastic about returning."

This source said that there has been no more violence than periodically in the past, and attributed recent incidents to "hot-headed students." She said, "It has been nothing persistent or dramatic."

The State Department source said that the government of Djibouti has "backed off a bit" on its earlier order that those refugees who had undergone eligibility requirements to receive ID cards would have to re-register. Those eligible refugees who will not be repatriated would not now have to re-register.

The State Department source said that both the United States and UNHCR continue to "watch the situation closely," but that the government of Djibouti does not allow third-country resettlement in any case.

She said that Djibouti might look upon third-country resettlement as exacerbating the flow of refugees into the country. She added that when the United States did process Ethiopian refugees in Djibouti in 1982 there were concerns about fraud and the magnet effect.

Henkel said that UNHCR communicated to the State Department its concern that the United States not resettle Ethiopian refugees in Djibouti at this stage because it might undermine repatriation efforts.

INS Circuit Riders Interview Refugee Applicants There is no INS office in Africa. Officers from the Rome office--and sometimes on temporary duty from elsewhere, including the United States--travel as "circuit riders" to designated African consular posts to conduct interviews with refugee applicants for resettlement. In FY 86, the approval rate for these applicants was 60 percent. An INS source said that although circuit rider travel to the region used to be intermittent, a circuit rider now travels "at least twice a year to each post." The source cautioned, however, that it will be increasingly difficult to cover the "incredible distances to interview five or ten people, in the light of budgetary cutbacks."

One INS circuit rider told *Refugee Reports* about having interviewed 1,300 Ethiopian refugee applicants in a 13-day period.

Meissner, the former INS executive associate commissioner, said that the circuit rider approach has always been "a bit tenuous," which, she said, "is in the nature of things given the travel dollars and distances involved." Although of the opinion that the circuit rider approach has "not been handled as faithfully as it should have been," Meissner said that the approach itself would be reasonable "assuming the circuit rider gets there on a regular basis."

In response to an inquiry from Sen. Edward Kennedy (D-Mass.) at a February 5 hearing on refugees from southern Africa before the Senate Subcommittee on Immigration and Refugee Affairs, Roger P. Winter, director of the U.S. Committee for Refugees, said, "Eliminating, or at least minimizing, the processing delays requires that the U.S. either designate additional processing posts in the region (adding Lesotho, for example) and schedule more frequent visits by the INS "circuit rider" or, alternatively, designate certain southern African diplomatic posts as emergency processing centers where U.S. Embassy consular officers would be charged with interviewing and processing applicants for resettlement as the need arises."

Mitzi Schroeder, special assistant for U.S. programs of the International Catholic Migration Commission (ICMC), expressed reservations, however, about the idea of allowing U.S. consular officers more latitude for refugee processing. "I'd like to see everyone in every country get the same fair shake. It would foster regionwide consistency in interpretation of refugee guidelines to have the same well-trained individual handle this as a full-time responsibility."

Schroeder told Refugee Reports that she would like to see "provisions for making faster emergency decisions." She suggested that one solution for expediting the work of the INS circuit rider might be to have a JVA circuit rider prepare cases in advance, so that they would be presented to the INS officer in a consistent and uniform way. (Until recently, ICMC had been the JVA for the Sudan.) In such a role, the JVA would be able to clear out cases from embassies, discuss issues with UNHCR, and encourage consistent implementation of policies, according to Schroeder.

South African Refugees Sometimes Face Immediate Danger South African exiles represent another refugee population that could be of concern to the United States. In FY 86, 12 South African refugees were admitted to the United States; eleven more have been admitted in the first quarter of FY 87.

"We ought to be more aggressive in identifying South African refugees of concern to the United States," said Meissner. "There is no question that the United States has all kinds of interests there. The resettlement of even a modest number--several hundred--would be very helpful by demonstrating U.S. willingness to lend a hand."

Winter said, "Those exiles who no longer wish to be associated with liberation movements such as the ANC and PAC are the real problem. Not only do they face a potential threat from South Africa," he said, "but they also are not generally welcome elsewhere on the continent."

A South African refugee who received political asylum in the United States told Refugee Reports that there are "many such people." He spoke of people being beaten up and denied food rations because of conflicts with the liberation movements. Some, he said, had been killed. "These people need immediate help," he said.

A former UNHCR official in Africa told Refugee Reports that the INS circuit rider in Dar-es-Salaam in 1984 "systematically excluded dissidents from the ANC and PAC from being accepted for admission because of their past associations with organizations that advocated the violent overthrow of the South African regime."

Meissner said, "We can't leave those judgments in the hands of line officers. The government must establish a policy to decide who is a refugee." Meissner added that she saw no legal barrier to consideration of this group as refugees. "It is purely a matter of interpretation."

A State Department official said that it is a provision of the Immigration and Nationality Act to exclude anyone who advocates the overthrow of a legitimate government, but the official added, "I believe it would be waivable in this case." The official noted, however, that INS officers have "a lot of discretionary authority" in such areas. This State Department official thought that at the present time such cases are being considered on a case-by-case basis.

Recent Developments

FUTURE OF LAOTIAN REFUGEE PROCESSING APPEARS IN JEOPARDY

Resettlement opportunities for Laotian refugees in Thailand may be drastically curtailed after July 1, 1987, according to a recent letter from Thai government officials to a voluntary agency committee in Bangkok.

Earlier this month the Thai Ministry of

the Interior (MOI) sent a letter to the Committee for the Coordination of Services to Displaced Persons in Thailand (CCSDPT), a membership group representing about 40 voluntary agencies. The letter stated that after July 1, 1987 refugees who were not in Phanat Nikhom, a processing center close to Bangkok, would be considered "as persons who no longer have an opportunity for third country resettlement." The letter went on to say that refugees who entered Thailand through the Laotian border screening program would be exempted from this deadline.

State Department officials have indicated that this would affect lowland and highland Lao refugees in the three northern camps of Chiang Kham, Ban Vinai, and Na Pho. One official told Refugee Reports, "We're taking it seriously," but suggested the announcement may only be "a ploy by MOI to focus attention on the issue" of future refugee resettlement for Laotians.

The official said the earlier Thai position had been to permit Laotian refugee processing to continue indefinitely as long as applicants were moved to Phanat Nikhom for interviewing.

Meanwhile, a State Department official told Refugee Reports that the United States was making an "intense effort" to process lowland and highland Lao in time to admit them during the current fiscal year. Because refugees must enroll in a six-month language and cultural orientation training program before coming to America, they must be approved by April in order to enter the country by the end of September.

State Department figures indicate that the U.S. refugee program in Thailand has been authorized to process up to 10,550 people during January, February, and March--the second quarter of the fiscal year and, traditionally, the most active processing period of the year. It is expected that most of the processing will involve lowland and highland Lao.

The official said that the State Department had authorized admissions of up to 8,900 highland Lao, predominantly Hmong, in FY 87. About 1,200 highlanders entered the country in the first three months of the fiscal year, and there are currently 2,300 highland Lao in the overseas training programs. Processing for the U.S. program will concentrate on the Hmong in Ban Vinai during the next two months, the official said.

For the first time since October 1984, lowland Lao refugees in the P-5 processing category were interviewed by the U.S. program. The P-5 category includes family reunification cases involving relationships other than that of parent, spouse, or unmarried children. Up to 1,000 P-5 cases were authorized for admission in FY 87, according to a State Department official, but it is unlikely the full number will be used.

During the last round of interviewing of P-1 to P-5 cases in the lowland Lao camp, Na Pho, in January and early February, the Immigration and Naturalization Service rejected close to 50 percent of the cases presented.

Nearly 12,900 Laotians entered the United States in FY 86, of whom about 3,500 were highlanders.

APPEALS COURT RULES ON SALVADORAN TORTURE VICTIM

On November 24, the Ninth Circuit U.S. Court of Appeals reversed a ruling to deport a Salvadoran torture victim. The ruling had been made by an Immigration Judge and upheld on appeal by the Board of Immigration Appeals (BIA).

The case involved Carlos Ovidio Plateros-Cortez, a 24-year-old Salvadoran national, who had been singled out from a busload of passengers by the treasury police, detained, and tortured.

A former agent of the intelligence and security section of the Salvadoran National Guard, who said that he had participated in the execution of about 40 suspected leftists, testified at the asylum hearing before an Immigration Judge that Plateros-Cortez' name had appeared on a death list as a suspected subversive. The witness, who testified using a pseudonym, said that he had been ordered to kill Plateros-Cortez, but that he did not do so because he knew Plateros-Cortez and his family.

The witness further testified that the names of Salvadorans deported from the United States are put on death lists.

The State Department's Bureau for Human Rights and Humanitarian Affairs submitted an advisory opinion that Plateros-Cortez had failed to establish a well-founded fear of persecution, and the Immigration Judge agreed.

On August 21, 1985, the BIA dismissed Plateros-Cortez' appeal, saying that he failed to show that he was tortured because of his race, religion, nationality, membership in a particular social group, or political opinion.

The BIA determined that the former National Guard agent was not a credible witness because he was a friend of Plateros-Cortez. The BIA also noted that Plateros-Cortez had earlier been deported from the United States in 1981, and that the reasons for his failure to apply for asylum at that time--illness, ignorance of the asylum option, and lack of legal representation--were "unconvincing."

The ninth circuit court ruled that Plateros-Cortez' testimony about his arrest, detention, and torture was credible and "uncontroverted." Citing an earlier precedent in Hernandez-Ortiz v. INS, the court rejected the BIA's conclusion that Plateros-Cortez had not shown that his torture was for political reasons, saying, "When the government exerts its military strength against an individual, absent any criminal activity or conduct, 'the most reasonable presumption is that the government's actions are politically motivated.'"

The court also disagreed with the BIA on whether Plateros-Cortez' earlier failure to apply for asylum should be held against him. In making its decision, the court quoted this exchange from his deportation hearing:

> Q. Did anyone offer to help you fill out the asylum forms?
> A. There was no one.
> Q. Did you try to fill out the forms yourself?
> A. No, I didn't know anything, I didn't know what to do. I didn't try because I didn't know how.

The ninth circuit court found that Plateros-Cortez met not only the "well-founded fear" standard for asylum, but also the "clear probability" standard for withholding of deportation. The court's authority, however, only applies to withholding deportation. It remanded the asylum question, which is granted at the discretion of the Attorney General.

Update

° In early February a senior Thai military official in Bangkok announced that Cambodians living illegally in Khao I Dang would be allowed to apply for resettlement if they surrendered themselves to the authorities by February 28. Major General Surin Vorathas, director of the Command Center for the Relief of Kampucheans, said that the illegal residents of Khao I Dang should present themselves to camp authorities by February 28. Those who do will be permitted to apply for resettlement, while those who do not come forward will lose any such opportunity.

U.S. officials have expressed confusion and skepticism at the offer. One source told Refugee Reports that Surin's statement indicated that the Thais "don't want to do another sweep of the camp. The last time they did that, someone got killed."

A recent report by the Lawyers Committee for Human Rights states that in November 1986 an illegal resident of Khao I Dang "was badly beaten by several [Thai] rangers and then fatally shot in the back of the head at close range."

The official said that the February 28 deadline did not seem realistic, and that, thus far, no resettlement countries had expressed any formal interest in the illegal population, estimated at somewhere between 300 and 1,000.

° Victims of Sudden Unexpected Death Syndrome (SUDS), which disproportionately strikes Southeast Asian refugee men, have been found to have abnormally heavy hearts, according to findings from the Centers for Disease Control published in the November 21 Journal of the American Medical Association (see Refugee Reports, Vol. VII, No. 6).

In addition to the enlarged hearts found in all 18 autopsies of the Hmong, Mien, lowland Lao, Cambodian, and Vietnamese men included in the study, the researchers also detected abnormalities in the conduction systems of 14 of the hearts, but none showed blockages in coronary arteries which are associated with heart attacks and sudden death in non-Asian Americans. Abnormalities in heart conduction systems, the researchers warn, have not definitively been shown to be causes of

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abnormal heart rhythms and sudden death.

° A Florida district court dismissed a suit brought by the Federation for American Immigration Reform (FAIR) to require that Cuban adjustment for permanent resident status be restricted to the general quota requirements of the Immigration and Nationality Act (INA) as opposed to the the Cuban Adjustment Act of 1966 (see *Refugee Reports*, Vol. VI, No. 2).

Although the court dismissed FAIR's complaint by ruling that the organization lacked standing, it nevertheless addressed the substance of the complaint by determining that Congress had, in fact, intended that Cuban adjustment should not be limited by the general visa-charging requirements of the INA. The court noted that FAIR's interpretation would, in effect, repeal the Cuban Adjustment Act and call into question the status of hundreds of thousands of Cuban entrants and residents.

° According to UNHCR sources, on February 5, a group of 542 highland Lao crossed the border into Thailand, pursued by Lao government troops. An estimated 19 members of the group were killed in the fighting. The new arrivals, who entered at Mae Charim district in Nan province, consisted of 369 Hmong and 167 Khmu, two hilltribe groups from the mountains of Laos. They joined about 800 other highlanders already in the area.

Current Research

STUDY COMPARES ETHIOPIAN REFUGEES AND ASYLUM SEEKERS

A recent study has found that both Ethiopian refugees entering the United States through the U.S. government's overseas processing program and Ethiopian asylum seekers in the United States share similar fears of persecution, but that Ethiopian asylum applicants in this country are less likely to be approved than overseas refugee applicants.

The study, by Peter Koehn and Girma Negash of the University of Montana, found that "asylum seekers are in no sense less motivated by fear of individual persecution and personal physical danger than are officially admitted refugees." In fact, the authors discovered, "a higher proportion of the asylum claimants in our study fit the prevailing legal definition of a refugee in comparison to heads of household granted official refugee status by the U.S. government."

The study notes that in FY 84 INS district directors rejected 77 percent of Ethiopian asylum applications, but that during the same year, the rate of denials for overseas Ethiopian refugee admissions was 40 percent.

The authors were able to rule out a variety of other factors often cited in the denial of asylum claims. Most asylum applicants were students in the United States at the time that events occurred in Ethiopia giving rise to their fears of persecution. Therefore, the United States became, for them, a country of first asylum. The vast majority of Ethiopian asylum seekers also entered the country legally. Also, the authors point out, the government of Ethiopia is seen as an adversary by the U.S. government, which has been shown generally to result in higher approval rates for asylum claims.

Asylum applicants were found, on the whole, to be highly educated and to have had secure employment in Ethiopia at the time they left the country. "Asylum petitioners are less likely than officially admitted refugees to have left home for economic reasons given their more secure employment status in Ethiopia." In fact, the researchers found that "the mix of motives in the case of migrants from Ethiopia usually does not include economic considerations...[and] there are no strictly economic migrants among the refugees and asylum claimants."

The authors noted that the findings in the case of Ethiopians are consistent with comparisons between asylees and refugees of other nationalities. The authors conclude that "the stricter standards applied in asylum proceedings can only be discriminatory."

The 70-page study, *Refugees and Asylum Applicants: Implications of the Case of Migrants from Ethiopia for United States Policy*, will be published in early April by the Center for Ethiopian Studies, a division of the Ethiopian Community Development

Urban refugees from Ethiopia prepare for new professions. Photo credit: UNHCR

Council. For more information, contact them at 3213 Columbia Pike, Arlington, VA 22204. (703) 685-0510.

POLES, AFGHANS, ETHIOPIANS, AND ROMANIANS ADJUST TO LIFE IN THE UNITED STATES

A recent study of economic and social adjustment of refugees resettled in the United States from Afghanistan, Ethiopia, Poland, and Romania generally found them to be highly educated--which has resulted both in opportunities for rapid adjustment as well as in unrealistic expectations that have hindered adjustment

The two-volume study, The Economic and Social Adjustment of Non-Southeast Asian Refugees, was undertaken by the Research Management Corporation for the Office of Refugee Resettlement in the Department of Health and Human Services. It was based on field visits to Dallas, Chicago, Los Angeles, New York City, and Northern Virginia/Washington, D.C.

Improvements in Refugee Service Delivery Urged The report observes that these refugees are often confused and frustrated due to unrealistic preconceptions and expectations about American life. It recommends better cultural orientation to prepare them for the realities of this culture. Acknowledging their generally high levels of education, the report says that English language training should focus less on survival language skills and more on literacy.

The report also urges that greater attention be paid to vocational training and professional recertification for these refugees. "The Afghans, Poles, and Romanians have large numbers of professionals among their adult arrivals," the report says, "who would better benefit from recertification programs and realistic professional job counseling."

The authors recommend that service agencies who work with these refugees include staff who speak their languages. They also recommend cross-cultural training for non-native staff, as well as greater awareness of the current social, cultural, and political backgrounds of these nationalities.

Finally, the study recommends changes in the welfare system that would provide support without engendering dependency. The generally high motivation and education levels of these refugees are matched by high expectations for job placement, causing frustration and resentment at entry-level jobs well below their home-country employment status and experience. In addition to recertification and employment training, the study suggests that public assistance could include alternative arrangements such as temporarily scaled down payments to make up differences in inadequate wages and the inclusion of medical benefits for entry-level jobs.

Ethiopians Comprised Largely of Young, Single Men Most of the resettled Ethiopian refugees in the study were young, single men in their twenties who were students before fleeing their country. Although fairly well educated, they generally had little work experience.

Use of public assistance among this group varied according to their geographic location. In Dallas, almost none of the refugees used public assistance, whereas up to half of the group in Los Angeles and Northern Virginia/Washington, D.C. were using it. Most of the working Ethiopians were in entry-level jobs, and few had moved up the economic ladder. They were generally characterized by service providers as highly motivated with a strong work ethic.

Poles Show Rapid Economic Advancement

Most of the Polish refugees were single and married adults in their twenties and thirties, virtually all of whom participated in the labor force. Couples generally had small families, with rarely more than two children.

Almost all Poles, the report found, improved their employment circumstances within the first year, usually within the first several months. They learned English well and found better jobs, often in line with their former professions.

Although Poles were characterized by service providers as very hard workers, they also noted unrealistic expectations about American lifestyles, and noted some cases of severe depression, especially among former persecuted dissidents, as well as alcohol abuse.

Romanians Seen as Having High Potential for Adjustment The study found significant differences between Romanian refugees in Chicago--generally characterized by larger families, lower educational levels, low English proficiency, and membership in fundamentalist Christian sects--and Romanians in Los Angeles and New York, who generally have professional backgrounds and smaller families.

Described by service providers as highly motivated, hard-working, and conscientious, the Romanian community is about evenly divided between those who socialize within their community, especially in church-related activities, and those who are quite isolated and suspicious of social interaction. "This is most often attributed," the report noted, "to the fact that they are working so hard they have little time for it, and to the very predominant perception among Romanians that there are Romanian government confederates among them who report back to Romania and thus are a threat to family and friends back home."

Afghans Highly Educated, Yet Dependent on Public Assistance Although the educational level of Afghan refugees was described by the report as "very high," they also made relatively high use of public assistance. The report found that many of the refugees with professional backgrounds found the status decline into entry-level jobs intolerable. Many of these older professionals also had large families, resulting in relatively high AFDC grants, sometimes in excess of what could be earned by an entry-level job. Afghan adjustment was impeded, according to the report, by the belief that their stay in the United States is temporary and that they will return to Afghanistan after the Soviets withdraw.

The report will soon be printed and available, free of charge, from Linda Gordon, Office of Refugee Resettlement, Department of Health and Human Services, 330 C St., SW, Rm. 1229, Washington, DC 20201.

Projects and Programs

TRAINING PROJECT OFFERS MENTAL HEALTH IDEAS TO ESL TEACHERS

It is common wisdom in the resettlement field that knowing English can help immensely in a refugee's initial adjustment to life in the United States. It may also be true that the process of learning English, under the guidance of a trained and sensitive teacher, not only can provide needed language skills but also can reduce or prevent the kinds of stress that lead to more severe mental health problems.

A training project carried out last year by the American Council for Nationalities Service (ACNS) suggests that language teachers can play a critical role in helping students with stressful problems by teaching adjustment skills and enhancing self-esteem.

Under a grant from the Office of Refugee Resettlement in Region I, the ACNS project trained a total of 118 ESL (English as a second language) teachers from eight northeastern states and developed a handbook for teachers on preventive mental health in the ESL classroom.

ESL Classrooms a Natural Focus for Prevention The handbook outlines the mental health concept of "primary prevention," which its authors define in the context of the ESL classroom as "the promotion of mental health through enhancement of self-esteem, coping skills, and adaptive behavior." The booklet explores the roles and the limitations of ESL teachers in applying primary prevention techniques in their work. "ESL teachers must view themselves as agents of change," according to the handbook. This involves "considering the social, psychological, and language needs of the refugee student together," and recognizing that they are part of a larger network of "helpers."

There are several reasons why the ESL classroom provides a natural focus for primary prevention, according to the handbook. ESL teachers are not only an "integral link in a network of human resources." They are also "unique." Of all professional service providers "they are typically given the most esteem and trust by refugees," and "they spend by far the most time in face-to-face contact with refugees during their earliest days here."

"The ESL classroom offers a structured environment that can provide a nonthreatening group setting for people to learn to communicate and get grounded in the world," Michael Paul, of the International Institute of Rhode Island, an ACNS affiliate agency, told Refugee Reports. Paul was manager of the training project as well as a principal author and editor of the handbook. "We felt that some of the people coming to class weren't functioning in other environments. They weren't processing information at any level, let alone learning a new language," Paul said.

"We had a feeling that if teachers knew more about mental health, they could help students more" to function better outside the classroom, Paul said. He cautioned that this did not mean teachers should intervene personally to resolve their students' problems. "We tried to dissuade teachers from dealing one-on-one with housing problems, alcohol and drug abuse, family violence, and so forth. Rather, they should manipulate these as teaching issues."

The project included a series of four one-day training sessions at sites in New York, New Jersey, Massachusetts, Rhode Island, and Connecticut. Staged at one-month intervals, the sessions covered the following topics: an overview of mental health issues, the role of the ESL teacher, community resources, and primary prevention techniques for the classroom.

The 50-page handbook, which was a direct outgrowth of the training workshops, states that "the primary task of ESL instructors is to teach English." To be effective in the area of primary prevention, however, teachers may need to assume other roles, such as being a listener, a cultural role model and mediator, and an information provider.

ESL teachers should conduct assessments of the "real life needs" of their students as an "essential first step" in devising primary prevention strategies for their classrooms, according to the handbook. Suggested assessment techniques included interviewing, listening and observing inside and outside the classroom, and "social mapping," a process of systematically examining aspects of community life and community resources.

"The challenge for the ESL teacher is to get out in the world," said Don Cohon, a psychologist from San Francisco who has worked with refugees for ten years. Cohon served as a consultant to the ACNS project and was one of the authors of the handbook. "The message I would hope to convey," he said, "is to know your system, what's happening in the refugee community and the community at large."

Based on the results of the needs assessment, the handbook suggests that ESL teachers should revise or enhance their teaching curriculum to address the stressful situations their students are encountering. "Students need to learn language to question, to express fears and worries, ...and to develop strategies for responding to problems," the handbook states. One example given was to include the topic of racial or sexual harassment in lessons on employment, housing, or community services.

The handbook cautions that successful presentation of such sensitive issues "is contingent upon a classroom environment that is both student-centered and student-directed, encouraging peer support and sharing of experiences, feelings and opinions."

Evaluation Finds Training Effective Jane Grover of RMC Research in New Hampshire was responsible for evaluating the effectiveness of the training sessions. Based on interviews with about 30 teachers, she concluded that the workshops had been effective in helping teachers to become more sensitive to mental health issues and the needs of their students. Grover quoted one teacher as saying, "I am more aware of the day-to-day realities of what refugees are coping with." Another teacher wrote, "I now take a broader view of my role. I see myself less as a technician imparting skills...I am now reaching my students on a deeper level, perceiving them as whole people with lives outside the classroom."

"The trainings have made teachers more aware of the whole refugee experience," said Janet Isserlis, coordinator of the refugee ESL program for Project Persona in Providence, Rhode Island. She mentioned one teacher who had begun to incorporate more "student-centered" activities in her lessons, and was making a conscious effort to "foster a warm and supportive environment in the classroom."

Isserlis said it was far more difficult to measure any improvements in the mental health of the students. "A lot of it is things you can't see. I'd like to believe that added knowledge and awareness do have an impact."

Grover noted that limited funding did not allow for an evaluation of the training's impact on students. Cohon told Refugee Reports, "It would be nice if the National Institute of Mental Health wanted to pursue an evaluation of the program." He recommended that a study could follow a few individuals for a one-year period to see whether primary prevention strategies had been effective.

Staff of Travelers and Immigrants Aid in Chicago have been using the handbook to develop trainings for teachers in Chicago and outlying areas. Adrienne Chambon told Refugee Reports of the special problems encountered by elementary school teachers. "They feel isolated from the system. They are not trained as counselors, but they know more about their students' problems than the school psychologists."

Bill Dolnick, also on the Chicago staff, said, "We're trying to tell them they can look outside of the school system to the refugee system and other social service providers. Instead of saying 'I'd better not listen to problems because I'll get over my head,' they could be saying, 'I can listen and make an appropriate referral.'"

"Teachers should know when and where to make appropriate referrals," said Cohon, "but I don't think the mental health system is serving refugees particularly adequately."

Another problem Cohon noted is that "the resettlement system itself can contribute to stress. The complexity of the bureaucratic structure overwhelms people." Dolnick spoke of the pressure to get refugees quickly into jobs. It may be no one's intention to impose additional stress on refugees, he said, but "the political realities do create conflicting goals."

Copies of Preventive Mental Health in the ESL Classroom: A Handbook for Teachers are available for $6.50 each from Darlene Turner, American Council for Nationalities Service, 95 Madison Avenue, New York, NY 10016. (212) 532-5858.

Reader Exchange

° On January 20, the Immigration and Naturalization Service (INS) published internal draft regulations to implement the Immigration Reform and Control Act of 1986. INS expects to formally publish proposed regulations in the Federal Register for public comment on or about February 25. For further information contact the INS at (202) 786-4764.

° On February 9, the Voice of America (VOA) will begin broadcasting personal messages in the Dari and Pashto languages to families and friends in Afghanistan. Toll-free numbers have been set up to record messages in each language. Messages will be broadcast as taped on the answering machine. Political messages will not be accepted. For the safety of those to whom messages are intended, full personal names and addresses should not be used. Personal details should be left vague, such as, "To my family in Uruzgan Province, from their son Akbar in Dallas, Texas." Although the answering machine will ask for the caller's phone number, the phone numbers will not be broadcast.

For messages in Dari, call 800-53-PAYAM. For messages in Pashto, call 800-247-6958.

Resources

NEW REPORT DOCUMENTS HUMAN RIGHTS ABUSES OF CAMBODIANS IN THAILAND

More than a quarter of a million Cambodians in Thailand have been victimized by a wide range of abuses in the last two years, according to a report released by the New York-based Lawyers Committee for Human Rights. The 97-page report, Seeking Shelter: Cambodians in Thailand, documents repeated rapes, robberies, extortions, and murders of Cambodian refugees by other Cambodians and by Thai security forces.

The Lawyers Committee report, written by Stephen Golub and Diane Orentlicher, recounts numerous abuses by armed Cambodian bandits, Thai paramilitary units, and Cambodian guerrilla forces.

The Lawyers Committee reports that some rangers of Task Force 80, the paramilitary units that the Thai government has assigned to guard and protect the Cambodians, have themselves "robbed, beaten and raped the residents of some camps, with apparent impunity."

Cambodians seeking to enter Thailand in the past year have suffered even greater abuse at the hands of Cambodian guerrilla forces, according to the report. Both Cambodian and Vietnamese females--including girls as young as eleven--have been repeatedly gang-raped by guerrilla troops who intercept them as they make their way into Thailand.

Most of the abuses have been committed by troops of the Khmer People's National Liberation Front (KPNLF), a non-communist faction of the resistance. Once intercepted by KPNLF troops near the border, numbers of Cambodians and Vietnamese have been detained until relatives abroad send ransoms for their release.

The report is also critical of Thai policy regarding some 59,000 Cambodians living in camps in Thailand that are controlled by the Khmer Rouge, a communist group responsible for the deaths of more than one million Cambodians during its four-year rule of the country from 1975 to 1978. "Khmer Rouge guerrillas exert rigid control over the lives of those camp residents," the report states. "Pervasive intimidation has at times been reinforced by removal of some of the civilians to places where they must undergo 'reeducation,' and of others to the Cambodian interior, where they are reportedly pressed into the hazardous duty of transporting military supplies."

Though an estimated one-third of the civilian residents in the Khmer Rouge camps would like to move to camps of the non-communist guerrilla factions, Thai policy prevents this.

The Committee's recommendations, among other things, focus on the future of the United Nations High Commissioner for Refugees (UNHCR) in Thailand. UNHCR currently provides protection and other services to the residents of Khao I Dang, but has no jurisdiction over the Cambodians living in the border encampments. The report urges that the UNHCR be permitted to retain jurisdiction over Khao I Dang residents, even if they are relocated, and that its "protection mandate be expanded to encompass the entire population of displaced Cambodians in Thailand."

The report, Seeking Shelter: Cambodians in Thailand, is available from the Lawyers Committee for Human Rights, 36 West 44th St., Suite 914, New York, NY 10036. (212) 921-2160.

GAO ASYLUM STUDY AVAILABLE

The study on U.S. asylum practices conducted by the General Accounting Office (GAO) has now been published. A preliminary draft of the report was analyzed in Refugee Reports, Vol. VII, No. 11.

The study focused on the four largest

nationalities of asylum seekers in FY 84, Salvadorans, Nicaraguans, Poles, and Iranians, who, together, comprised 79 percent of the total. The approval rates for the four nationalities varied widely: El Salvador, 2 percent; Nicaragua, 7 percent; Poland, 49 percent; and Iran, 66 percent.

Although the report is recently published, readers should note that the approval rates upon which it was based are already somewhat obsolete, as they have changed significantly since the 1984 data. In FY 1986, the approval rate for Nicaraguans increased to 30.8 percent; for Salvadorans, 7.3 percent; for Poles, 54.8 percent, and for Iranians, 65.4 percent.

Based on the 1984 data, the GAO attempted to determine if there were nationality biases in the asylum adjudications. The report found that applicants from different countries who claimed to have suffered similar mistreatment did not have the same approval rates. Of those applicants who claimed they had been arrested, imprisoned, had their life threatened, or were tortured, Salvadorans and Nicaraguans had a "much lower" approval rate than applicants from Iran and Poland. But the report qualified the finding by saying that it was not possible to determine variations in the adequacy of documentation and severity of mistreatment.

The advisory opinions issued by the Department of State on asylum claims were shown to have a significant impact on determinations by the Department of Justice (DOJ). In 99 percent of the Salvadoran and Nicaraguan cases the DOJ decision agreed with the State Department.

A lack of data concerning the reasons for granting or denying asylum prevented the GAO from being able to draw definitive conclusions about whether asylum standards are uniformly applied. "Approximately 73 percent of the files," the report noted, "did not contain any explanation of the basis for the decision."

The study found that relatively few denied asylum seekers are actually deported. In fact, none of the denied Iranian, Polish, or Nicaraguan cases under review were deported. However, of the 8,365 denied Salvadoran cases, 212, or 2.5 percent, were deported.

The report makes three recommendations to the Immigration and Naturalization Service: 1) to document the reasons for asylum decisions; 2) to collect and review data on denied asylum applicants; and 3) to take action to place denied applicants in deportation proceedings where appropriate.

The study, Asylum: Uniform Application of Standards Uncertain--Few Denied Applicants Deported, GAO/GGD-87-33BR, is available from the U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877. The first five copies of the report are free. Additional copies are $2 each.

INTERACTION CHRONICLES PRIVATE VOLUNTARY AGENCY ACTIVITIES IN AFRICA

More than 3,700 projects of some 150 U.S. private voluntary agencies working in Africa are catalogued by InterAction in Diversity in Development: Project Descriptions by Country and Sector for Africa, Volume II.

InterAction, the American Council for Voluntary International Action, researched and prepared the 620-page document with financial support from the U.S. Agency for International Development and Private Agencies Collaborating Together (PACT). Project descriptions are cross-referenced by organization and country. In addition to descriptions of the African development projects, entries include contact names and addresses.

The first volume, published in 1985, analyzes U.S. private voluntary agency involvement in Africa, while the second volume describes and classifies the data.

To order, send $7.50 for Volume I or $25 for both volumes to InterAction, 200 Park Ave. South, New York, NY 10003. Multiple order discounts are available.

NEW PUBLICATIONS FROM USCR

The U.S. Committee for Refugees will release the World Refugee Survey: 1986 in Review in March. In addition to statistics on worldwide refugee populations and country-by-country reports on refugee protection, the 1986 Survey includes essays on Europe's growing restrictiveness toward asylum seekers, new policies affecting refugees in Thailand, and a first-hand account of the developing refugee crisis in South

Africa.

USCR has also recently released two new additions to its issue paper series. The first, Despite a Generous Spirit: Denying Asylum in the United States, finds U.S. asylum practices to be restrictive and inhumane, particularly with regard to Haitian and Central American asylum seekers. The second, Refugees from Mozambique: Shattered Land, Fragile Asylum, provides analysis of the conflict that has forced some 350,000 Mozambicans to flee to neighboring countries.

An issue brief has been produced on The Karens of Burma: Thailand's Other Refugees. The report, based on a fact-finding mission to Thailand, highlights the situation of more than 18,000 Karen refugees who have fled from Burma.

The World Refugee Survey and issue papers are sent free of charge to Refugee Reports subscribers. The Karens of Burma is available upon request. For nonsubscribers, or for additional copies, please send $6 for the World Refugee Survey and $2 for issue papers and issue briefs to USCR, 815 15th St. NW, Suite 610, Washington, DC 20005. (202) 667-0782.

PBS TO AIR DOCUMENTARY ON SOUTHEAST ASIAN REFUGEES IN PENNSYLVANIA

On March 30, PBS will broadcast "Postscript to a War: The Indochinese in America," a 30-minute documentary portraying Southeast Asian refugees trying to adjust to life in the United States.

A peasant family from Laos marvels at their new surroundings. "A general's wife does not live like this in Laos," says the refugee woman as she points to her carpeted floor and electrical appliances.

Others are less sanguine; a Buddhist monk expresses concern about maintaining traditional values and culture in America. A group of Lao workers are shown to be living in horrid conditions on the premises of the poultry farm where they work. The film captures their lives--crowded into squalid trailers, they experience a complete breakdown of traditional Lao social and cultural support systems and at the same time virtual isolation from American society.

Although scheduled for national broadcast from PBS to its affiliates at 10:30 PM EST, on Monday, March 30, check local listings for broadcast times.

AMERICAS WATCH ON RIGHTS ABUSES IN HAITI

On January 20, the Reagan administration reported to Congress that Haiti is improving its human rights record, a finding which is a prerequisite for the continuation of U.S. security and development assistance.

The State Department "determination" credits Haiti for improvements, such as establishing a framework for elections, investigating human rights abuses and corruption under the Duvalier dictatorship, and "continuing to cooperate with the United States in halting illegal emigration to the United States from Haiti."

The U.S. administration's assessment is challenged by a recent report from Americas Watch and the National Coalition for Haitian Refugees. The report, Duvalierism Since Duvalier, charges that "a large gap has developed between officially stated goals and the actual actions of the government." Based on three fact-finding missions to Haiti in the post-Duvalier period, the report found that "there has been scant progress in halting human rights violations by the security forces, in investigating past abuses, and in bringing to trial corrupt officials and military officers responsible for past and present abuses."

The 75-page report is available for $7 from Americas Watch, 36 W. 44th St., New York, NY 10036. (212) 840-9460.

We would like to point out some errors and revisions in our December 1986 issue (Vol. VII, No. 12).

INS has revised its statistics on the number of Cuban cases granted asylum by INS district directors in FY 86. The chart on page 14 should read that 99 Cuban cases were granted asylum from June 1983 to September 1986, rather than 221. The approval rate for Cuban cases during this period drops from 10.3 to 4.9 percent.

Also, in the Indochinese Refugee Program chart on page 5, the figures on Khmer resettlement in the U.S. should read: 19,097 in FY 85, 9,789 in FY 86, and 138,448 cumulative since 1975.

SUMMARY OF REFUGEE ADMISSIONS
CUMULATIVE

	Area						
Fiscal Year	Africa	East Asia	Eastern Europe	Soviet Union	Latin America	Near East/South Asia	TOTAL
1975	0	135,000	1,947	6,211	3,000	0	146,158
1976	0	15,000	1,756	7,450	3,000	0	27,206
1977	0	7,000	1,755	8,191	3,000	0	19,946
1978	0	20,574	2,245	10,688	3,000	0	36,507
1979	0	76,521	3,393	24,449	7,000	0	111,363
1980	955	163,799	5,025	28,444	6,662	2,231	207,116
1981	2,119	131,139	6,704	13,444	2,017	3,829	159,252
1982	3,326	73,522	10,780	2,756	602	6,369	97,355
1983	2,648	39,408	12,083	1,409	668	5,465	61,681
1984	2,747	51,960	10,285	715	160	5,246	71,113
1985	1,953	49,970	9,350	640	138	5,994	68,045
1986	1,315	45,454	8,713	787	173	5,998	62,440
1987	232	7,383	2,235	297	0	2,250	12,397
TOTAL	15,295	816,725	76,271	105,481	29,420	37,382	1,080,574

Source: U.S. Department of State/Bureau for Refugee Programs

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Volume VIII, Number 3 March 20, 1987

CANADA TAKES MORE RESTRICTIVE STANCE ON ASYLUM SEEKERS

A series of procedural changes that would restrict the entry of asylum seekers to Canada and curtail some of that country's liberal asylum policies--and reports that those measures will be made permanent in proposed legislation--have created controversy and confusion among refugee advocates, the general public, and asylum seekers on both sides of the border.

The Canadian-U.S. border has been the site of intense activity since President Reagan's signing of the Immigration Reform and Control Act in November. In December, more than 3,000 asylum seekers crossed into Canada. In the first six weeks of 1987, more than 6,000 additional asylum claims were made. The number of Salvadoran asylum seekers in January 1987 (1,800) was roughly equal to the number of Salvadoran asylum applicants during the entire previous year (1,875). "If this trend continues," said Gerry Weiner, Canadian Minister of State for Immigration, "these numbers will soon overwhelm our ability to deal with them."

On February 20, Canada announced a new series of administrative changes that cancelled the blanket policy on admissions and nondeportation that had been in effect for nationals from 18 countries characterized by unrest and civil strife. The countries on the "B-1" list were: Afghanistan, Albania, Cuba, Cambodia, El Salvador, Guatemala, Iran, Laos, Lebanon, China, Sri Lanka, Vietnam, and the USSR and its Warsaw Pact allies. Individuals from these countries had been allowed to enter Canada and automatically receive Minister's Permits (with a right to work) for up to one year, pending the outcome of their asylum claim. Even for those who did not meet the UN Convention definition of a refugee and were denied asylum, the Canadian policy since 1977 had been not to deport nationals to the countries on the B-1 list.

Under the new policy, the B-1 list is abolished, and all refugee claimants are dealt with in the same way both as regards asylum determination and work permits, as well as deportation.

A Canadian government cable released on February 20 said, "No person who is deserving of Canada's protection will be removed to a country where his or her

IN THIS ISSUE:

This expanded issue looks at recent developments on the asylum front--stricter procedures in Canada and "push-backs" in Thailand, but also a Supreme Court decision which establishes a more generous standard for asylum in the United States.

- Update.................5
- Recent Developments

U.S. Supreme Court says asylum standard is well-founded fear of persecution; Congress looks at Southeast Asian refugees; Haitians apply to adjust status; INS publishes Immigration Reform regulations; Israel says Soviet Jews are not refugees.......6

- Projects and Programs

Overground Railroad aids asylum seekers in journey to Canada.....................15

- Meetings and Conferences
- Resources.............17
- Statistics

Indochinese camp populations by ethnic group as of January 31, 1987..............20

life might be in danger. But, effective today, we will no longer give blanket protection without regard to whether the person is the oppressed or the oppressor."

Asylum Seekers Must Wait on U.S. Side for Canadian Immigration Hearing The new policy also requires that refugee claimants coming from the United States remain in the United States pending a Canadian immigration hearing. In making the announcement, Benoit Bouchard, Minister of Employment and Immigration, referred specifically to the increased pressures on the border, saying, "A growing number of refugee claimants have been seeking to enter Canada from the United States, straining our ability to make decisions efficiently on their admissibility."

Under the new guidelines, asylum seekers are given appointment dates for hearings and required to remain in the United States until that time. This has resulted in unforeseen back-ups at border crossing points.

Sr. Bonnie Butler, coordinator of the Interfaith Refugee Assistance Project in Buffalo, New York, said that her group is currently assisting some 360 persons awaiting hearings. She told Refugee Reports that they are being housed for the most part by individuals and churches and are being "well-received" by the Buffalo community.

Central Americans Wait Nervously on the Border Sr. Bonnie observed, however, that the asylum seekers are "very upset and have a great deal of anxiety." She said that the vast majority of the people at the border are Salvadorans and Guatemalans, who, she said, "to varying degrees fear torture, imprisonment, or death if returned." She said they are very anxious to get into Canada because they are known to the Immigration and Naturalization Service (INS) and "are terrified of deportation."

Sr. Bonnie said that many of the asylum seekers are under the mistaken impression that the border is closed. "It is more difficult to enter, but not closed," she said.

Sr. Bonnie said that those approaching the border out of a fear of deportation should weigh the factors, and realize that if returned to the United States, they would have to pass through INS inspection. She said, however, that "if the fear is genuine, Canada remains an option."

Refugee service providers on the West Coast report similar uncertainty and tension among asylum seekers on the border. Shirley Osterhaus of Central American Refugee Assistance (CARA) in Bellingham, Washington, said that the U.S. Supreme Court Cardoza-Fonseca decision, while most welcome, caused even greater confusion in the midst of these other changes (see Recent Developments). "The refugees feel as though they are bouncing from one side to the next," she said, not knowing which country presents the greater risks or opportunities.

Osterhaus estimated that about eight people per day are being turned back at the Blaine crossing (the crossing point to Vancouver). She said that when the policy first went into effect that people were given two week waits for their initial hearings. Already a backlog has been created such that the waiting period has grown to two months. She said that most of the aliens are being housed in people's homes, but that "we are trying to get the county to provide a large shelter in anticipation of the growing need." She noted that unlike earlier flows which were made up largely of single men, whole families are now appearing at the border.

Gerry Maffre, immigration spokesman for the Canadian Department of Employment and Immigration, said that the average waiting period for initial inquiries is now four to six weeks.

Duke Austin, spokesman for INS in Washington, D.C., said that INS on a case-by-case basis would try to make voluntary departure dates for deportable aliens coincide with the Canadian inquiry dates. He said, however, that if there are delays, INS district directors would be able to exercise their discretion to go forward with deportation orders. Austin said, "So far we have been able to accommodate the Canadians."

Cabinet Report Indicates Changes To Be Made Permanent A document approved by the Canadian cabinet's priorities and planning committee confirming that the interim changes would be incorporated in new legislative proposals was leaked to the Toronto Sunday Star on March 15.

In addition to abolishing the B-1 category and introducing stricter border controls, the new legislation would deny access to the refugee claims system for people "returnable to a safe third country," depending on its human rights record, according to the Star.

The new legislation would also reportedly deport denied claimants in as little as three days.

Michael Lanphier, director of Canada's Refugee Documentation Project, told Refugee Reports that sending denied asylum seekers back to the United States would "put them at undue risk."

INS's Austin told Refugee Reports, "Once an illegal alien is admitted by Canada for an inquiry he has no right to reenter the United States. That would be an open invitation for all of them to take a shot at Canada and then come back." Austin said, "You can't return illegal aliens back to a country where they were previously illegal. You deport them to their homeland. We wouldn't take them back."

Canadian immigration spokesman Maffre said, "If we get to the point of deportation, the person would be deported to their homeland, not to the United States." He said that the issue of deportation is "some way down the road" for those now entering or seeking to enter the country. "They would have appeal rights that would need to be resolved."

Maffre also said that the debate in Canada has been "based on leaks and presumptions" and that "there has been no public discussion of what is meant by a 'safe third country.'" Maffre did say that, consistent with principles articulated by the government last May, "a person considered to be illegal by the United States would not be considered by Canada to have the protection of the United States."

Changes Would Limit Access to Canada by Asylum Seekers A provision reportedly included in the new legislation which is already included in the interim administrative changes is that transit visas would be required of people from 98 countries traveling through Canada to another country.

"With the new visa requirement, the government is using a procedural method to make a substantive change--that is, to keep refugees out," said Michael Schelew, the spokesman for refugee affairs for the Canadian section of Amnesty International. Schelew explained that people in the past have made asylum claims when airplanes make stopovers on Canadian territory.

Lanphier said, "The moves to make access more difficult would have the effect of reducing Canada's asylum granting function to the very, very minimum." He said that the changes are intended by the government to make Canada "exclusively a 'third country' of resettlement." Under this system admissions essentially would be limited and controlled through the processing of refugees by Canadian diplomatic posts outside the country.

There has recently been a great deal of criticism in the Canadian press about the cases of 85 Chileans in Argentina, who the Canadian government maintains must first apply as immigrants rather than refugees. Protests have included a 21-day hunger strike by 17 Chilean refugees in Canada.

Others criticize the refugee admissions policies as fundamentally flawed by excluding would-be refugees from the start. "Canada doesn't have a consulate in El Salvador or Guatemala, and third-world people generally have a great deal of difficulty getting into Canadian consulates," said Lanphier.

Canadian Press Speculates on Impact of Possible New Law on Refugee Determination In a scenario suggested by Toronto's Sunday Star, the new legislation would, in effect, make it almost impossible for a would-be asylum seeker from El Salvador or Guatemala to obtain asylum in Canada. He would be prevented from buying a plane ticket without a visa, which he wouldn't be able to obtain without a long wait because there is no Canadian embassy in the country. He could possibly travel to a neighboring country so long as it was one Canada would consider not to be a safe third country. While in the unsafe country and still fearing persecution, the person would have to wait again for a visiting Canadian officer to assess his refugee claim and employment potential. Then, the Canadian official would have to decide whether to accept him as part the quota of 3,000 Latin Americans to be admitted to Canada in 1987. If the applicant was rejected for overseas resettlement and then fled through the United States and sought asylum at the Canadian border, he would be sent back to the United States to await his hearing. At his hearing, the adjudicator would determine the United States to be a "safe country" and return him within days.

As mentioned above, the INS takes the position that such a scenario would never take place because the United States would not be willing to accept illegal aliens denied asylum in Canada.

Maffre said that Canada does continue to issue visas from within Guatemala and that Salvadorans are serviced out of San Jose. He said that the 1987 regional target for overseas refugee admissions from Latin America is 3,200, that there is no numerical limit on privately sponsored refugees, and that asylum seekers on the Canadian border are not subject to Canada's worldwide quota of 12,000 refugee admissions.

Maffre said, "Technically the law requires a person to apply overseas for permanent residence in Canada. That notwithstanding, we are obligated by the UN Convention to respond to people who arrive at our borders claiming to be refugees."

Government Moves Stir Public Outcry in Support of Refugees The issues of border control and refugee protection have been the subjects of hot debate in Canada. The subject is receiving front-page coverage in the Canadian press and generating debate among the opposition political parties.

The Liberal Party member of the shadow cabinet responsible for immigration, Sergio Marchi, was quoted in the Canadian press as saying, "The longer legislation is delayed, the worse things get." He accused the government of "playing the politics of fear" by delaying legislation.

The Canadian press reported Progressive Conservative MP Jim Hawkes, chairman of the parliamentary committee on immigration, as saying that he didn't believe the measures would stand up under the Canadian Charter of Rights.

The Canadian Council of Catholic Bishops, on February 26, issued a statement that the new measures "may well serve to reinforce a fortress mentality in this country."

Lanphier told Refugee Reports that "the churches to the last one" have come out in opposition to the government position.

Howard Adelman, a professor of philosophy at York University and the founder of the Refugee Documentation Center, said, "The pro-refugee advocates were always seen as an elite kind of lobby without real political clout. All of a sudden, though, we find the community coming together to fight this and discover that we do have a constituency."

Current Policy Reverses Recommendations of Government-Sponsored Study The new approach toward asylum seekers diverges significantly from a study commissioned by the government in 1985 and tabled by the Minister of Employment and Immigration in the House of Commons (see Refugee Reports, Vol. VI, No. 7),

The report, Refugee Determination in Canada, by Rabbi W. Gunther Plaut, made 89 recommendations for change of the refugee determination process. In a June 1985 press release, the government said the report and the public response to it "would form the basis of a major overhaul of legislation affecting refugee determination."

Rabbi Plaut told Refugee Reports, "The new procedural changes do not capture what I see as the spirit I would like Canada to express, and certainly not what I proposed in the report."

Plaut said that "refugee protection is not a function of border patrols" and that the mixing of the immigration control function and the refugee determination process is "inexcusable."

Maffre said, however, "Under the present system, no determination is being made by immigration officers at the border." In the initial inquiry, immigration officers simply gather information from the refugee claimant. "The immigration officer has no authority to say a claim is manifestly unfounded or to evaluate the claim in any way," said Maffre. Rather, he said, a transcript of the claimant's statement is forwarded to the Refugee Status Committee in Ottawa, which makes a preliminary determination whether the person meets the UN Convention definition of a refugee.

Plaut said that his report had been the subject of discussions several months ago involving the government and nongovernmental organizations in which, he said, he had thought that common understandings were reached involving relatively minor changes. However, Plaut said that the sudden influx of Central Americans "brought the xenophobes out of the woodwork just when we were on the verge of an agreement."

Plaut criticized the government for "listening to the most reactionary voices in the country and riding along with xenophobic myths, such as the myth that we are overcrowded, when in fact we are underpopulated."

Maffre, while noting that the government position represents a preference for more limited access and for limiting of appeals to questions of law rather than merit, said, "In terms of our commitment to refugees, we still want to protect genuine refugees who arrive at our border."

Update

° On Sunday, March 15, a group of 108 Hmong living in Ban Vinai camp without proper registration were rounded up by Thai camp authorities to be taken to jail in the village of Pak Chom, 15 miles to the north. According to State Department sources, 38 people were selected out, handed over to Lao soldiers on the Thai side of the Mekong River, and escorted back to Laos.

The remaining 70 members of the group were placed in Pak Chom jail, joining 26 other Hmong who had been seized in a camp roundup earlier in the month.

On March 17, a group of 97 Hmong who had recently crossed over from Laos were stopped at a border checkpoint and subsequently repatriated.

"We are protesting this action to the Thai Government as a serious breach of human rights," State Department spokesman, Charles E. Redman, said, referring to the March 15 pushback. "We view this incident as possibly the most serious instance of forced repatriation from Thailand since 1979." he said. In June 1979, thousands of Cambodians were forced back over the Thai-Cambodian border near Preah Vihear.

One international relief official in Bangkok said he saw a "strong linkage" between the roundups at Ban Vinai and the treatment of Hmong at Nam Pun (see Recent Developments). He described the two incidents as "the beginning of the crisis of Hmong asylum in Thailand."

In the March 20 Washington Post, it was reported that William Brown, U.S. ambassador to Thailand, called at the Thai Foreign Ministry to "express strong concern" at the repatriation incident. Thai Deputy Foreign Minister Praphas Limphaphan said an investigation was taking place. He urged the United States to resettle half of the estimated 50,000 highland Lao in Thailand.

° On March 1, some 230 "illegal" residents of Khao I Dang were relocated by Thai authorities to Site B, a camp on the Thai-Cambodian border 180 miles to the northeast. A U.S. State Department official told Refugee Reports that the transfer was "peaceful," and was monitored by the U.S. Embassy and international relief agency officials. Interviewing of the individuals was prohibited by the Thais, the official said.

A reporter for Agence France-Presse overheard one evacuee saying, "It is hopeless. My head is troubled. I came to go to a third country."

About 160 of the "illegals" had been in the Khao I Dang jail, according to the State Department official. Of the remainder, the official estimated that most had been rounded up in camp by Thai guards, but some may have volunteered to return to the border.

Khao I Dang, the last remaining camp for Cambodian refugees that is administered by the UN High Commissioner for Refugees, was closed by Thailand on December 31, 1986.

In a related development, on March 16, a group of 14 U.S. and international voluntary agencies in Thailand sent a cable to Secretary of State George Shultz urging him to initiate efforts to "maximize resettlement of the remaining Khao I Dang population and to ensure that the UNHCR's protection mandate is maintained for the inhabitants of this camp."

The cable reported that on the evening of March 4, Thai authorities conducted a search for additional unregistered residents and discovered "a network of crudely designed subterranean hideaways throughout the camp." Three Cambodians were imprisoned, and Thai authorities have announced that the remaining "illegals" have until March 15 to turn themselves in. "Thereafter," the cable said, "any refugee found hiding or otherwise assisting the unregistered will be punished."

InterAction, a coalition of 107 American private voluntary organizations, endorsed the cable in a March 17 letter to Shultz.

° On March 5, Ambassador Jonathan Moore, U.S. coordinator for refugee affairs, was appointed as director of the State Department's Bureau for Refugee Programs (BRP).

Moore will hold both positions concurrently. Robert L. Funseth, the former acting director, will continue to serve as BRP's senior deputy assistant secretary.

A government announcement stated that the responsibilities and relationships of the two offices "will remain as they are" but the new arrangement "will assure a closer working relationship between the two."

Recent Developments

SUPREME COURT UPHOLDS FEAR OF PERSECUTION AS BASIS FOR ASYLUM IN THE UNITED STATES

The U.S. Supreme Court decided on March 9 that the government has been advocating too strict a standard to decide whether or not to grant asylum to aliens who say they fear persecution in their homeland.

The court ruled that the correct standard for qualifying for asylum in the United States is "a well-founded fear of persecution." The decision was widely praised among attorneys working on asylum cases.

The standard had been challenged by the Reagan administration, which sought to apply the more restrictive "clear probability" of persecution standard currently used for withholding of deportation. "Clear probability" remains the standard in effect for withholding of deportation.

The decision was based on a case involving a Nicaraguan woman, Luz Marina Cardoza-Fonseca, who claimed a well-founded fear of persecution should she be returned to Nicaragua (see Refugee Reports, Vol. VII, No. 10).

Writing for the 6-to-3 majority, Associate Justice John Paul Stevens said that when Congress passed the Refugee Act of 1980, it had intended to bring U.S. law into conformity with the UN definition of a refugee as having a well-founded fear of persecution. "There is simply no room in the United Nations' definition," he wrote, "for concluding that because an applicant only has a 10 percent chance of being shot, tortured, or otherwise persecuted, that he or she has no 'well-founded fear' of the event happening."

In contrast, the government had argued that an asylum applicant needed to establish a "clear probability" of persecution based on objective evidence that it would be "more likely than not" that he or she would be persecuted upon return.

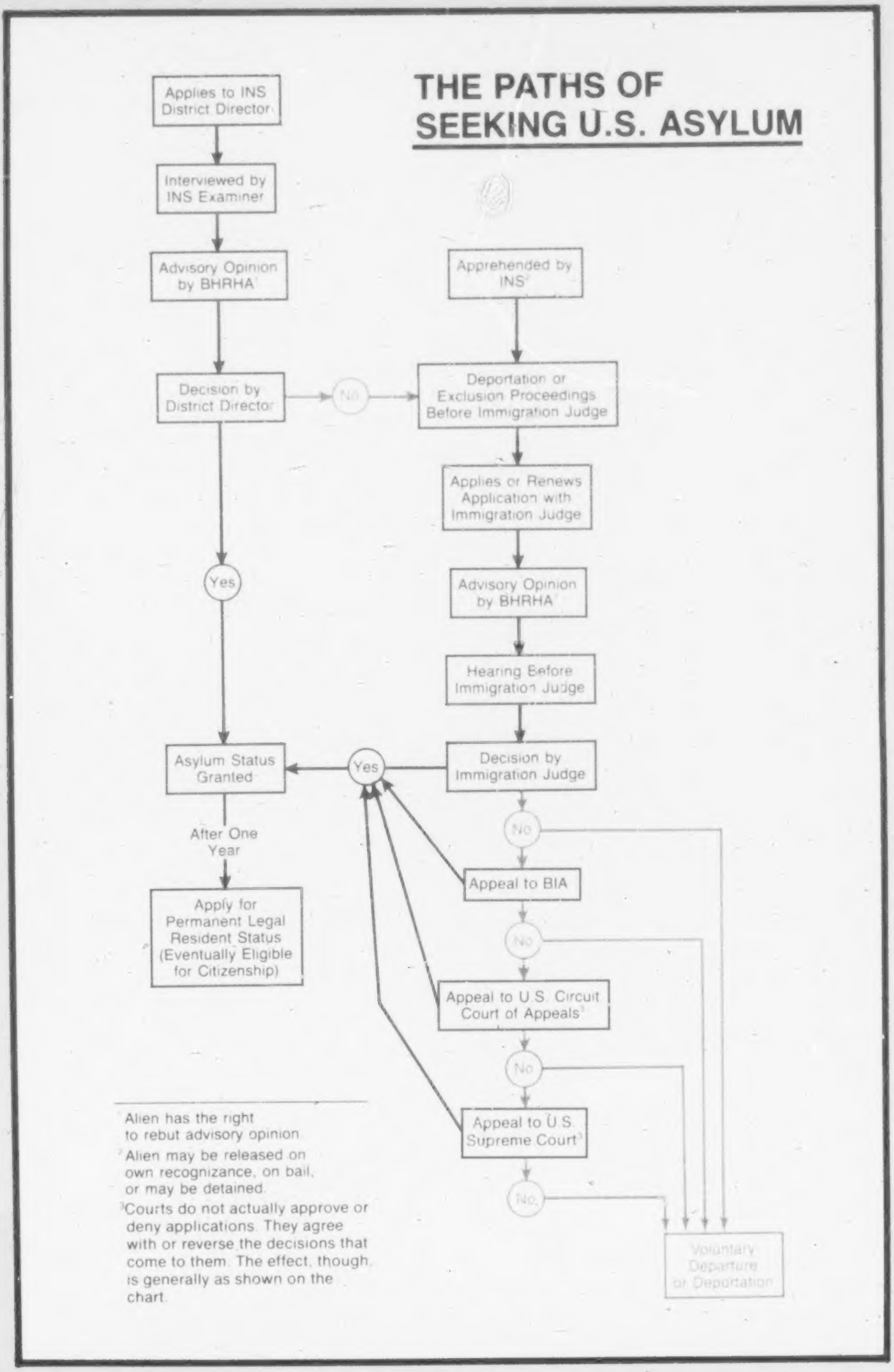
Stevens held that the government's standard failed to take into account the subjective element of fear. He said that the eligibility standard "obviously...turn[s] to some extent on the subjective mental state of the alien."

The government, based on the position of the Board of Immigration Appeals (BIA), had argued that as a practical matter the "clear probability" and "well-founded fear" standards were not meaningfully different in adjudicating asylum applications.

Minority Said Court Should Defer to Agency Writing in dissent, Associate Justice Lewis F. Powell said that since the granting of asylum is at the discretion of the Attorney General, and since he has delegated that responsibility to the BIA, the court should defer to its experience and expertise. "The Board has examined more of these cases than any court ever has or can," Powell wrote. "It has made a considered judgment that the difference between the 'well-founded' and 'clear probability' standards is of no practical import." In urging that the Supreme Court defer to the BIA's expert judgment, Powell said, "The Court ignores the practical realities recognized by the expert agency and instead concentrates on semantic niceties." Powell was joined in his dissent by Chief Justice William Rehnquist and Associate Justice Byron White.

Former BIA Chairman Questions Powell's Dissent Maurice Roberts, chairman of the BIA from 1968 to 1974, who drafted the Matter of Dunar BIA opinion quoted in support of Powell's dissenting opinion, told Refugee Reports that his opinion, written in 1973 before the 1980 Refugee Act had been enacted, was "based entirely on State Department testimony that U.S. accession to the UN Protocol in effect made the two standards the same, since 243(h) [the withholding of deportation standard] was the only statutory provision embodied at that time."

Roberts said, "Since the enactment of the Refugee Act of 1980, this has become a matter of statutory construction, not an area of administrative expertise." He said that the BIA has "no greater expertise than



THE PATHS OF SEEKING U.S. ASYLUM

Applies to INS District Director
Interviewed by INS Examiner
Advisory Opinion by BHRHA[1]
Decision by District Director
No
Yes
Asylum Status Granted
After One Year
Apply for Permanent Legal Resident Status (Eventually Eligible for Citizenship)
Apprehended by INS[2]
Deportation or Exclusion Proceedings Before Immigration Judge
Applies or Renews Application with Immigration Judge
Advisory Opinion by BHRHA[1]
Hearing Before Immigration Judge
Decision by Immigration Judge
Yes
No
Appeal to BIA
No
Appeal to U.S. Circuit Court of Appeals[3]
No
Appeal to U.S. Supreme Court[3]
No
Voluntary Departure or Deportation

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[1] Alien has the right to rebut advisory opinion.

[2] Alien may be released on own recognizance, on bail, or may be detained.

[3] Courts do not actually approve or deny applications. They agree with or reverse the decisions that come to them. The effect, though, is generally as shown on the chart.

From Despite a Generous Spirit: Denying Asylum in the United States, U.S. Committee for Refugees, December 1986.

the courts, and probably less, in interpreting the law."

In a separate judgment concurring with the majority, Associate Justice Antonin Scalia found Powell's deference to the BIA unconvincing. "Since the Court quite rightly concludes that the INS's interpretation is clearly inconsistent with the plain meaning of that phrase...there is simply no need and thus no justification for a discussion of whether the interpretation is entitled to deference."

Associate Justice Harry Blackmun also wrote a separate concurring opinion which took the Immigration and Naturalization Service (INS) to task for interpreting the law in a way "strikingly contrary to plain language and legislative history."

Asylum Grants Still at Discretion of the Attorney General The Supreme Court made it clear that finding that a person has a well-founded fear of persecution does not, by itself, entitle that person to asylum. Rather, it is a threshold test for determining a person's eligibility to be considered for asylum. The court essentially said that the threshold is lower for asylum than for withholding of deportation, since asylum is a discretionary grant but withholding of deportation is required in cases where persecution is more likely than not. The court did not say what effect this should have on the Attorney General's statutory discretion to grant asylum. Stevens wrote that the applicant who satisfies the well-founded fear standard "does not have a right to remain in the United States; he or she is simply eligible for asylum, if the Attorney General, in his discretion, chooses to grant it." In fact, the majority opinion held that it was increasing the flexibility of the Attorney General by making the threshold test less strict. "Whether or not a 'refugee' is eventually granted asylum is a matter which Congress has left for the Attorney General to decide," the Court found. "But it is clear that the Congress did not intend to restrict eligibility for that relief to those who could prove that it is more likely than not they they will be persecuted if deported."

Warren Leiden, executive director of the American Immigration Lawyers Association, told Refugee Reports that, in practice, the Attorney General's discretion is usually exercised in a negative way, that asylum would more likely be denied as a matter of discretion than granted. Typically, he said, asylum is denied by immigration adjudicators as a matter of discretion because the applicant used fraudulent travel documents or tried to circumvent normal overseas refugee processing procedures.

Carol Wolchok, director of the ACLU Political Asylum Project, said that the Attorney General's discretionary authority would not enable him to undermine the more generous standard established by Congress and confirmed by the Supreme Court. She called the decision "a tremendous victory."

Roberts, the former BIA chairman and current editor of the immigration law weekly, Interpreter Releases, agreed, saying, "Discretion means you weigh and balance adverse and positive factors; it can't be arbitrary or unreasoned." Any exercise of discretion that fails to be judicially exercised, according to Roberts, would be subject to review by the courts as an abuse of discretion.

Leiden praised the decision as "monumental" in terms of its potential qualitative effect on asylum adjudications and, perhaps, also on State Department advisory opinions.

Wolchok said that the decision would have the greatest impact on cases not yet heard, if immigration judges and the INS accept "the spirit of the decision that refugees should not be required to show a high degree of concrete evidence to support their asylum claims." She said, however, that the INS may shift the stringent standards of evidence to other areas, such as requiring proof that persecution is due to political opinion or other statutory grounds.

Effect of Decision Uncertain At this point it is unclear how many people will be affected by the decision. Leiden said he did not believe the decision would "open the flood gates." He estimates the number of new cases to arise from this to be from the hundreds to the low thousands.

INS spokesman Duke Austin told Refugee Reports, "I don't think the change of standard will motivate illegal aliens to come forward." He said that 99 percent of cases result from apprehensions, not from people coming forward.

Leiden also said that some denied asylum applicants will be able to reopen their cases because the wrong standard was applied to them. He said, "I've seen cases where the judge or examiner said 'you have some justified fear, but no clear probability.'"

Others say, however, that judges have been making their decisions with the awareness that the Cardoza-Fonseca case was pending before the Supreme Court. "Most judges in denying asylum applications have said that the person met neither the 'clear probability' nor the 'well-founded fear' standard," said Carolyn Waller, director of the Alien Rights Law Project.

Austin said, "On the administrative level, by far the largest number of asylum denials have been based on the failure to establish a 'well-founded fear.'"

Waller said that the major importance of this "wonderful" decision was that "it didn't go the other way." While she said that the decision might not significantly change the way asylum cases are adjudicated, she commented, "Over the long haul, if the Court had ruled against Cardoza-Fonseca, it would have 'closed the door.'"

The decision raises the question whether large scale reopening of cases could occur because of widespread use of the stricter standard. Justice Blackmun wrote that "with one exception...all the Courts of Appeals that have addressed this question have concluded that the standards for withholding of deportation and granting asylum are not the same." This would suggest that in all but one federal circuit, denied applicants would not be able to reopen their cases. Wolchok disagrees. She said that aside from the ninth circuit, only the second and fifth circuits had addressed the question and decided in favor of the "well-founded fear" standard, and that those decisions were relatively recent. All of the other circuits, according to Wolchok, have applied the "clear probability" standard.

Wolchok said that attorneys who want to reopen cases will now have to show the BIA how the wrong standard was applied to their clients and how their clients meet the more generous "well-founded fear" standard.

HOUSE SUBCOMMITTEE ON ASIAN AFFAIRS HOLDS HEARINGS ON REFUGEES IN THAILAND

The refugee situation in Thailand and conditions inside Laos and Cambodia were the focus of two hearings convened in March by the House Subcommittee on Asian and Pacific Affairs. Rep. Stephen J. Solarz (D-N.Y.), chairman of the subcommittee, said he was "deeply disturbed about the reports we are receiving about the treatment of some refugees in Thailand." Solarz called on both government and private witnesses to testify regarding U.S. policy on the closing of Khao I Dang camp, security problems at the Thai-Cambodian border, and "pushbacks" of Laotian asylum seekers trying to enter Thailand.

State Department Questioned on Cambodian Rejections At the hearings for government witnesses on March 11, Solarz inquired about the 14,000 Cambodians in Khao I Dang who have been rejected for resettlement by the United States. "I can't believe they would be rejected on the grounds that they didn't have a 'well-founded fear of persecution,'" he said. "Is there any possibility that this could be reviewed?"

The rejected Cambodian applicants "have been denied resettlement to the U.S. by the INS [Immigration and Naturalization Service] based on the provisions of the Immigration and Nationality Act," stated Robert L. Funseth, senior deputy assistant secretary in the State Department's Bureau for Refugee Programs (BRP). Funseth also noted that INS had rejected some people on the basis of "suspicions of Khmer Rouge affiliations." He said that one review had already been conducted in February 1985, but that Ambassador Jonathan Moore, the U.S. Coordinator for Refugee Affairs and recently appointed director of BRP, was still weighing the merits of an additional review.

State Department Authorizes Additional Processing From Khao I Dang Funseth said that the State Department had recently authorized processing for certain members of the "family card holder" and "ration card holder" groups. Refugee processing has been authorized for about 2,000 more family card holders, who entered Khao I Dang without authorization between March 1983 and August 1984. Their status was regularized by a census in August 1984, and they are generally acknowledged as refugees.

Limited processing of ration card holders has also been authorized, according to Funseth, involving only "close family members" of people already approved for admission to the United States. The ration card holders, who number about 7,100, entered Khao I Dang without authorization between August 1984 and October 1985.

Status of "Refugees" and "Displaced Persons" Debated "Is there any reason why we don't interview more ration card holders?" Solarz asked. "We are interviewing some," said Funseth, but this group is "not recognized as refugees." He added, "This is not just a U.S. position but an international position. The logic is that these people come from the 'displaced person' population" on the Thai-Cambodian border.

The Thai government has given the status of "displaced persons" to the 270,000 Cambodians on the border, most of whom entered Thailand in 1984 and 1985, following a series of fierce Vietnamese offensives against the resistance forces. Thailand generally has not permitted them to apply for resettlement.

"This is an Alice-in-Wonderland situation if dates [of entry] are the only criteria for defining displaced persons and refugees," said Rep. Chester G. Atkins (D-Mass.). Funseth responded, "Thailand has the right to determine who is and who is not a refugee."

UNHCR Presence at the Border Discussed

"Given the mistreatment of Cambodians along the border, there seems to be a feeling that people would benefit if UNHCR [UN High Commissioner for Refugees] took over those facilities," commented Solarz. Currently, relief and assistance to the border camps are coordinated by the UN Border Relief Operation (UNBRO), a special agency created by the UN General Assembly in January 1982. Some protection functions are carried out by UNBRO and the International Committee of the Red Cross (ICRC).

In testimony before the subcommittee on March 4, Roger Winter, director of the U.S. Committee for Refugees, said, "The United States should press to have UNHCR exercise its full protective mandate" on the border.

"I have to ask the motivation behind this," said Funseth. "Will UNHCR do a better job than UNBRO and ICRC?" He said that UNBRO had an "implicit" protection mandate and ICRC an "explicit" one. "The issue is not which agency is responsible for protection," said Funseth, but rather a matter of improving Thai and Cambodian security in the border camps.

Funseth pointed out several recent initiatives to improve border security. He noted that "the UN Secretary General has designated the UNHCR to continue its protection role for the Khao I Dang population who may be relocated to sites along the Thai-Cambodian border."

Additional new steps being undertaken, according to State Department testimony, include the clear separation of combatant and civilian populations at the border, establishment of an UNBRO protection officer, establishment of an international presence overnight in the border camps, and the institution of open markets to deter criminal black market activities.

Atkins called the ICRC protection mandate "limited" and said that UNHCR protection for Cambodians at the border would "end the fiction that they are displaced persons, and bring them under the color of international law."

"Not even UNHCR recognizes them as refugees," Funseth responded. "But the fact that one group are called 'displaced persons' and the other 'refugees' does not mean that protection should be any different. We just do not believe that changing agencies will, in and of itself, make a difference."

Condition of Highland Lao at Nam Pun Remains Unclear Atkins questioned the State Department regarding the status of approximately 1,300 highland Lao stranded at the Thai-Lao border in the region of Nam Pun. About 550 crossed over into Thailand on February 5. The remainder have been living a precarious existence in the area for up to one year.

According to UNHCR sources, more than 700 of this group left their mountain camps on February 12 and travelled to the Thai village of Nam Pun where they petitioned for entry to the UNHCR refugee camps. Thai authorities refused their request and they were ordered to return to a site closer to the border.

One individual who visited the group of 700 in late February called their situation "truly desperate." He declined to be identified because his visit was unsanctioned. "Their greatest need is medicine," he told Refugee Reports, citing "a rash of illnesses," including malaria, diarrhea, festering wounds, and gangrene. A "degree of starvation" was also in evidence, he said.

Access to the border camps has been severely restricted, Funseth said, although "there are new indications that, for the present, the group has access to adequate supplies of food." He noted that one of the most recent sources of information on this group's condition was the Thai military. Funseth said that food was being supplied by a private voluntary agency and the Thai military.

"When you have reports of starvation," Atkins responded, "it is not acceptable to say that the Thais say the situation is OK. We should insist on some tangible evidence."

Atkins asked the State Department to comment on reports that Thai authorities have been forcibly repatriating highland Lao, particularly Hmong (see Updates). The issue "seems to be a relatively low priority" for the U.S. Embassy in Thailand, Atkins said. "It has not been an issue of low priority," said Funseth. "The U.S. is adamantly opposed to the involuntary return of anyone anywhere. These highland Lao are people we are interested in. There is no possible misunderstanding in Bangkok of our position on this."

Winter, in his March 4 testimony, said, "In 1986, UNHCR documented 362 cases of pushbacks. The real number is undoubtedly much higher." He added that "whatever actions U.S. authorities may have tried so far to stop this violation of fundamental access to first asylum have proven ineffective." He urged that "the U.S. should intervene more vigorously."

INDOCHINESE-AMERICAN TEAM RETURNS FROM FACT-FINDING VISIT TO SOUTHEAST ASIA

An interethnic group of five former refugees, returning in last February from a fact-finding visit to refugee camps in Southeast Asia, called upon the United States and the international community to recommit themselves to refugee protection and assistance in the region. At a press conference sponsored by several members of Congress, Sen. Mark O. Hatfield (R-Ore.) said the "historic" trip provided a "novel perspective on the current refugee situation."

"We have been considered a problem; now we are determined to be part of the solution," said Le Xuan Khoa, president of the Indochina Resource Action Center (IRAC) and leader of the delegation. Visiting a total of 14 camps in four countries--Thailand, Hong Kong, Malaysia, and the Philippines--the group identified needs and made recommendations in the areas of refugee protection, assistance, and processing.

Protection of the 270,000 people along the Thai-Cambodian border "remains the most serious concern in the region," said Khoa. The team's recommendations included an international staff presence in border camps during the night, the strengthening of refugee leadership in camps, the development of ethnic security units within each camp, and monitoring of incidents of violence by the UN High Commissioner for Refugees.

The team also recommended that health and mental health services, as well as education programs, be expanded in the camps, noting that many refugees face extended stays there. "Indochinese-Americans should be encouraged to return and provide support" for such efforts, Khoa said. "After nearly twelve years, we are committed to sharing responsibility for the refugees."

Accompanying Khoa on the trip were Tony Vang, executive director of Lao Family Community of Fresno, California; Yang Sam, executive director of the Southeast Asian MAA Coalition in Philadelphia; Tran Minh Tung, M.D., psychiatrist and president of the Vietnamese-American Health Care Association; and Nguyen Van Hien, president of Vinaport Fish Processing Company in Bayou la Batre, Alabama.

CUBAN-HAITIAN ADJUSTMENT BEGINS

Several thousand Haitians, mostly in south Florida, have already requested application forms to adjust their status under the Cuban-Haitian adjustment section of the Immigration Reform and Control Act, according to officials of the Immigration and Naturalization Service (INS) and private agencies.

Those INS approves for adjustment under the new regulations implementing the law may become lawful permanent residents, retroactive to January 1, 1982. INS estimates that between 40,000 and 50,000 people, nearly all of them Haitians, may be eligible to adjust.

INS announced that it would accept applications for adjustment on March 10. Thus far, officials said, only the Miami district office has been busy responding to requests.

Though the new regulations cover both Cubans and Haitians, INS officials believe only a small number of Cubans will adjust under this law, since most have applied to become lawful residents under previous adjustment acts.

Most of the eligible Cubans and Haitians are now "entrants"--a temporary legal status granted to those who arrived prior to October 1980, including those in the Mariel boatlift. Also potentially eligible are the 1,500 to 2,000 so-called "Spellman Haitians," those who arrived after October 1980, were detained, and subsequently ordered released in June 1982 by Judge Eugene P. Spellman of U.S. District Court for South Florida.

Under this adjustment, several grounds for excluding aliens have been waived, including the potential for being a public charge and illiteracy. However, according to Joseph D. Cuddihy, INS senior immigration examiner, "We don't anticipate that anyone in detention will be eligible, though there is nothing to stop them from applying." For the most part, many Haitians in detention since prior to January 1, 1982, have mental health problems, and would be excludable on medical grounds, according to Cuddihy.

Cuddihy said the government has no plans to test Haitian adjustment applicants for acquired immune deficiency syndrome (AIDS). "We do not intend to do anything different for Cubans and Haitians than we do with other immigrants," he said. For a time Haitians were designated as a "high risk" group for AIDS by the Centers for Disease Control (CDC).

Cuddihy said the CDC has proposed a controversial change in the Immigration and Nationality Act (INA) which would add AIDS to a list of dangerous and contagious diseases that make victims excludable on medical grounds. Diseases now on the list include tuberculosis and syphilis. No final action has been taken on this proposed rule.

Difficulties in Applying for Adjustment Noted In Miami, where INS conducted a training session on March 4 for voluntary agencies and others interested in assisting with adjustment cases, nearly 30,000 application packets have been distributed. Those who want to assist are not required to complete an agreement with INS. As a result, a number of individuals and agencies in the Miami area, and elsewhere in Florida, are distributing the INS packets.

Some of them may be promoting themselves as adjustment counselors when they actually have little or no experience, according to private agency sources. This can lead to the filing of applications which are incomplete or in error, according to Marti Walsh, regional director of Lutheran Ministries of Florida in Miami.

Walsh had a warning for unqualified adjustment advisors: "In Florida, it's against the law to charge for legal advice if you're not an attorney."

There are also a number of problems related to the documents themselves and the process for filing them, according to Catherine Cassidy, an attorney with Florida Rural Legal Services in Ft. Pierce, Florida. Cassidy said that INS is requiring applicants to submit their documents either in person at the Miami district office, through a private agency like hers, or through one of seven INS application centers, none of which has opened. "We don't understand why they can't be mailed back," she said.

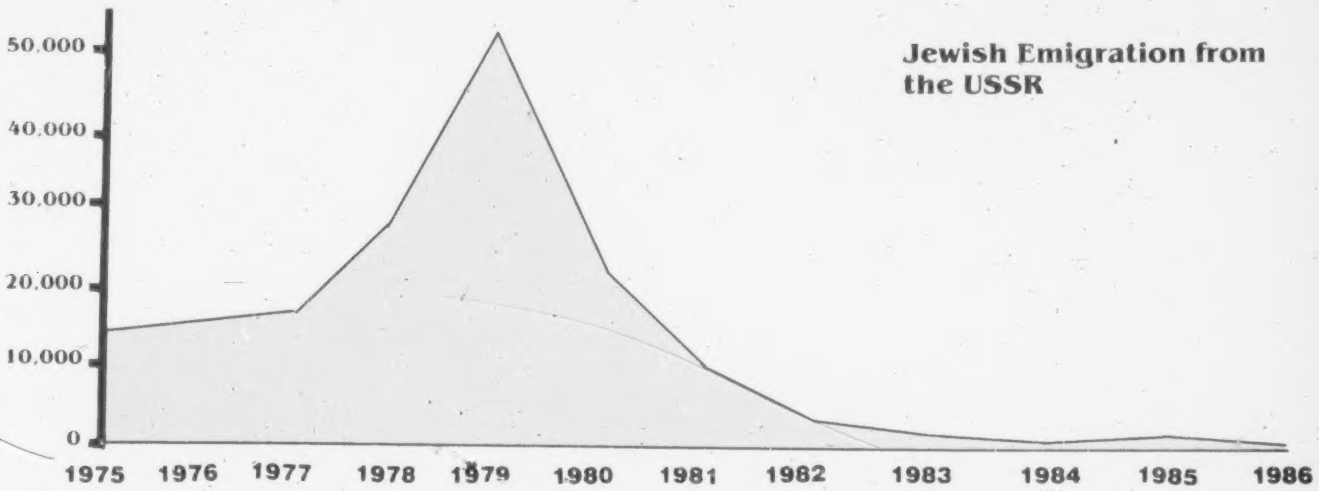
Cuddihy responded that there is nothing in the regulations that prohibit applications from being returned by mail.

Cassidy also noted that applicants receive no receipt, a situation that could lead to delay if documents become lost.

Generally, however, those concerned with Haitian adjustment seem to feel it will be a success. "In Miami there has been an excellent beginning to the program," said Michael Hooper of the Coalition for Haitian Refugees. "INS is playing a major role. It is not simply being a receiver."

Walsh said, "The most positive thing that could happen would be to get Haitians to come forward and apply." She said if the Haitian program succeeds, those eligible for legalization will note it and come forward on May 5," the date when the legalization program begins.

The regulations, published in the March 2 Federal Register, have an effective date of November 6, 1986, the date the president signed the immigration reform bill into law.



Applications for Cuban-Haitian adjustment must be filed by November 5, 1988.

ISRAEL ASKS UNITED STATES NOT TO ADMIT SOVIET JEWS AS REFUGEES

In his meetings with U.S. Secretary of State George Shultz on February 18, Israeli Prime Minister Yitzhak Shamir asked the United States not to accord refugee status to Jews emigrating from the Soviet Union.

Shamir reportedly told Shultz that U.S. policies in recent years had encouraged 80 percent of Soviet Jewish emigrants destined for Israel to opt instead for the United States.

The Soviet Union gives permission to emigrate based on letters of invitation from relatives in Israel. Would-be emigrants receive Israeli visas through the Dutch embassy in Moscow and receive exit permits for Israel. However, upon arrival in Vienna, many prefer to go to the United States instead. The Soviets rarely accept letters of invitation from countries other than Israel.

Shamir contends that Soviet Jewish emigres are not refugees at all. "All Jews leaving the Soviet Union are issued Israeli visas," he is reported to have said. "At that moment they are Israeli citizens. They are not refugees. They are not a homeless people."

Karl Zukerman, executive vice president of the Hebrew Immigrant Aid Society (HIAS), told Refugee Reports, "Although in the Zionist lexicon there is no reason for a Jew to be called a refugee anymore [since they all have a homeland in Israel], Soviet Jews do meet the definition of refugee in international law since they do face religious persecution in the USSR."

Zukerman said, "Based on what the American Jewish community learned from the horrible experience of 50 years ago, we would want the United States to remain available to Jews who wish to come here and would oppose any effort by the U.S. government to restrict Jewish entry to the United States."

A spokesman for the State Department told Refugee Reports, "Administration policy has been and continues to be to adhere to freedom of choice and continued refugee status for Soviet Jews."

American Jewish Community Responds to Israeli Request Using the Hebrew term for immigration to Israel, Warren W. Eisenberg, director of the International Council of B'nai B'rith, told Refugee Reports, "We support aliya to Israel, but we also support freedom of choice. We would oppose any change in U.S. law for Jews in need of a haven from persecution."

Gary Rubin of the American Jewish Committee said, "While it is critical to rescue Jews from the Soviet Union, and while Jewish organizations have an obligation in that rescue, it is not for us to tell Soviet Jews where they should go." He said the goal of the world Jewish community, rather, should be to keep as many avenues of Jewish rescue open as possible.

Other Jewish community organizations have been more supportive of the Israeli position. Elaine Cooper, director of national programs of the Zionist Organization of America, said, "As Zionists, we agree that Jews with valid Israeli visas are not refugees. They have a place in which to make new lives in a land that seeks and welcomes them." Cooper went on to say, "Those Soviet Jews who are in Israel and subsequently decide they do not wish to remain are free to leave for any country of their choice." She said that she hoped that they would choose to remain in Israel.

Cooper said, however, that the Zionist Organization of America has stopped short of recommending that refugee status should be eliminated, saying such a step could have complex ramifications and that "we wouldn't want to do anything to hamper the rescue of Soviet Jews."

Other Jewish groups are still considering the issue. Morris B. Abram, chairman of the National Conference on Soviet Jewry (NCSJ), said, "The Prime Minister and the [American Jewish] community are as one, both on the need for substantial and sustained emigration from the Soviet Union to the State of Israel, and that the claim for repatriation to Israel is a valid and compelling argument." But Abram indicated that the NCSJ has not yet taken a position on the question, saying the issue "has now been squarely placed on the agenda of the American Jewish community for careful consideration as an urgent item affecting the welfare of the Jewish people as a whole."

INS PUBLISHES PROPOSED RULES ON LEGALIZATION, PRIVATE AGENCIES CONCERNED

The Immigration and Naturalization Service (INS), on March 18, published its proposed rules to implement the legalization provisions of the immigration act that was signed into law last November. A coalition of national and community organizations, meanwhile, has voiced deep concerns that the restrictive approach INS is taking in the legalization effort is making cooperation extremely difficult.

A March 10 letter to INS Commissioner Alan C. Nelson that was signed by 29 voluntary agencies, trade unions, and public interest groups expressed commitment to the legalization program, but added, "Our commitment and preparation to participate should not be misinterpreted as a willingness to accept an unworkable cooperative agreement and regulations that are contrary to the intent of Congress."

The organizations said that their concerns were serious enough to affect their "possible involvement nationally or locally as Qualified Designated Entities" (QDEs) in the legalization program. The Immigration Reform and Control Act of 1986 allows people seeking legalization to file their applications either directly with INS or with a "qualified designated entity"--voluntary organizations, or state, local, and community organizations designated by INS.

On March 2, INS published guidelines for the cooperative agreements with QDEs, giving an applications deadline of April 10 for the initial cycle of proposals. The basic function of QDEs, as spelled out in the INS guidelines, is "to provide information and assistance in a risk-free environment to aliens seeking to apply for legalization" and "to encourage mass participation by eligible applicants."

INS has indicated that it is preparing to handle up to 3.9 to 4 million applications in the one-year period--May 5, 1987 to May 4, 1988--during which legalization applications will be accepted. Nelson said that actual applications will probably number around 2 million.

To process such a large volume of cases, INS will be establishing more than 100 special legalization offices around the country, in addition to contracting for the services of QDEs.

Officials of national voluntary agencies, however, are seriously questioning the advantages of becoming QDEs. After a March 18 meeting with INS, several agency officials said progress was made on a few issues but problems remain, both with the cooperative agreement and with the legalization regulations.

"We're proceeding as though we are going to be a QDE, but there are still many unanswered questions," said Chris Gaffney of the American Council for Nationalities Service (ACNS).

"The problem with the proposed regulations is that they are not inclusive," Gaffney said. "They are designed to make it difficult for an alien to apply. That makes the job of the QDEs harder and thus more expensive." One example she gave was the INS requirement that an alien provide extensive documentation establishing that he or she has resided continuously in the United States since January 1, 1982.

"Stringent requirements" regarding the duration of absences allowed to alien applicants was also criticized by Monsignor Nicholas DiMarzio, executive director of the U.S. Catholic Conference Migration and Refugee Services. Proposed INS regulations would disqualify any person who had left the country for a 45-day period, or for a total of 180 days, since January 1982. This was not consistent with "precedent in other areas of international law," DiMarzio said.

Volags Question Fees Restrictive INS regulations have been compounded by funding and fee limitations imposed on QDEs, according to Gaffney. In the cooperative agreement guidelines, INS indicated it will reimburse QDEs $15 for every application it accepts from the QDE. INS will not reimburse for any application a QDE processes but does not submit, nor will it reimburse for applications that are not accepted as complete by the legalization office. This figure is "inadequate," Gaffney said.

In addition, INS has set a cap of $75 on the fees that a QDE can charge an applicant for counseling. Various voluntary agency officials have estimated that their average costs for processing a case could run from $100 to $200. INS has set its own basic application fee at $185.

Some aspects of the cooperative agreement have been renegotiated, according to Gilbert Carasco, USCC director of immigration services. "Up-front money" that INS will advance to national QDEs has been increased, Carasco said, and certain counseling services have been removed from the INS cap. "The cumulative effect" of regulatory and contractual restrictions "is still very burdensome," said Carasco.

"The private sector has wanted this [legalization] program a long time," Gaffney said. "We may have to put some of our own resources into this, but we shouldn't have to go broke on it."

Speaking on behalf of 8 to 15 local National Council of La Raza affiliates interested in being QDEs, Charles Kamasaki, policy analysis director, said, "I doubt they're in a position that they can afford to lose money on this. If a decision had to be made today, our groups would be out."

Projects and Programs

OVERGROUND RAILROAD KEEPS HOPES ALIVE FOR CENTRAL AMERICANS

On a cold night, in a palm grove, "Maria's" baby was born.

No midwife called encouragement. No nurse took her blood pressure and no doctor, her pulse.

When her baby's body emerged, no trained hands reached out to clear the child's throat of fluids, no trained eyes watched for bleeding.

It was terribly dangerous. They were lucky to survive. But she would be safer here, in the Rio Grande Valley of Texas, than in her native country, El Salvador.

Or so she said to a member of the Overground Railroad, who brought her to the Catholic Sisters.

The Overground Railroad is a network of some fifty church congregations, and many more religious and lay workers, in the South, Midwest, and East who know that people like Maria and her child stand little chance of gaining asylum in the United States. So, they help Central Americans seek refuge legally in Canada by helping them apply for asylum at Canadian consulates in the United States.

Despite recent changes in Canadian refugee policy (see lead article, this issue), Canadian consulate officials said their policy has not changed. "There's been no impact whatsoever, thus far," said James Metcalfe, consul at Canada's Atlanta consulate, one that receives a large number of asylum applications from Central Americans.

Central Americans come to the "railroad system" in a number of ways. Some simply walk into the offices of places like the Reba Place Church in Evanston, Illinois. Others are found by railroad members in the Rio Grande Valley, or at Immigration and Naturalization Service (INS) detention centers like the one at Los Fresnos, Texas, and are brought to Comer, Georgia, by a group called Jubilee Partners. Most of them are Guatemalans and Salvadorans. Some come alone; others bring their children. Since passage of the immigration act, their numbers have grown.

On the Overground Railroad, churches agree to sponsor Central Americans during the entire time they are in the process of applying for asylum in Canada. "They help get applicants on the political asylum track. They help with housing, and provide them with a living allowance," according to Mary Postel of Reba Place Church.

Railroad members assist asylum seekers in completing their applications, medical forms, and other required documents, and in preparing for the interview with a consular official.

Metcalfe explains, "Applicants must meet two criteria: eligibility, whether they meet the United Nations and Canadian refugee definitions; and acceptability, which means their resettlement prospects in Canada." Applications must be well prepared, he said, and, in this regard, "Jubilee Partners provides an awful lot of assistance."

Metcalfe can approve a claim on the spot, but it may take several more weeks before a visa is issued while security clearances, civil requirements, and medical records are reviewed. "From 'woe' to 'go' generally takes 2 to 3 months," he said.

However, the numbers reaching Canada by this route remain small, for a variety of reasons. "One problem is that claims are not well documented," Metcalfe said, adding there is a problem with Central American men having common-law wives and children. Under Canadian law, he explained, the marriages are not recognized and the children of such marriages are considered to be illegitimate. Fifty percent of Central American family cases involve unwed couples, according to Metcalfe. "We don't touch these cases."

Additional restrictions result because Canada, like many other nations, has a limited number of refugee slots. In the Canadian system there are two kinds of sponsorships, government and private.

Metcalfe said that Canadian consulates are allowed a limited number of government sponsorships for refugees from various nationalities. These limits are called "planning targets." In addition, only three consulates in the United States have planning targets for Central Americans: Dallas, Atlanta, and Los Angeles. The planning target for the Atlanta consulate has been about 300 for the last three years, Metcalfe said.

No such limits are placed on private sponsors, but they must agree to accept full financial responsibility for an asylee for up to one year. As in government sponsorship, those responsibilities include providing housing and subsistence allowances, language training, employment counseling, job referrals, and other orientation services. The Overground Railroad also helps locate such private sponsors in Canada.

Last year, Metcalfe said, a total of 426 government and privately sponsored Central Americans were approved for resettlement in Canada from his consulate.

Though the numbers are small, members of Jubilee Partners, such as Ed Weir, see the work as a continuation of their long involvement in the refugee field. "We started in 1979 helping with the boat people," Weir said. "We began an orientation center for Cubans, then we worked with Cambodians and Laotians." Weir recalled how one day a volunteer from Texas said, "You should go down and look at the refugees there." That's how he met the woman from El Salvador and heard her story.

Meetings and Conferences

° A refugee service-provider conference, "Directions for the Future," is being sponsored by the Illinois Department of Public Aid--Refugee Resettlement Program S.T.A.G.E.S. Project. It will be held in Chicago between April 30 and May 1, 1987. Conference sessions will offer both theoretical and practical information on issues including national and international refugee policies and status; findings of ORR-funded research; health and mental health issues; and new directions in resource development.

Conference participants will include administrators, supervisors, and field staff in refugee service-provider agencies. Region V agencies will automatically be sent an invitation. For registration information, call the S.T.A.G.E.S. Project at (312) 870-4166.

° The International Counseling Center, a private, nonprofit organization, will be sponsoring a conference on "Crossing Cultures in Mental Health: Programs, Models and Treatment Strategies" on May 7-8 at George Washington University in Washington, D.C.

Workshops will focus on such topics as the psychological trauma of Cambodian and Central American refugees, mental health counseling with refugees, and models of clinical social work with Vietnamese refugees.

The advance registration fee (due by April 27) is $135.00. For more information, contact Diane R. Koslow, Ph.D., Conference Coordinator, International Counseling Center, 2121 Wisconsin Avenue, NW, Suite 200, Washington, DC 20007. (202) 333-5452.

Resources

STATE DEPARTMENT REPORTS ON HUMAN RIGHTS PRACTICES

The U.S. State Department released its Country Reports on Human Rights Practices for 1986 in February. The 1,356-page report is a comprehensive survey of human rights practices throughout the world. Reports on each country include sections on the status of various rights, such as freedom from political killings, disappearances, torture, arbitrary arrests and detention, or denial of fair trials, free speech, peaceful assembly, and religion.

Of particular interest to monitors of refugee situations are sections on freedom of movement within a country, foreign travel, emigration, repatriation, and exile. The report also gives an account of U.S. bilateral and multilateral loans and grants to those countries receiving U.S. aid.

Below are excerpts from selected reports. All material is quoted directly.

Mozambique By the end of 1986, nearly 1 million Mozambicans of a population of 14 million had fled either to the cities or to neighboring countries. In September alone, over 400,000 persons were displaced. In addition to abuses by RENAMO forces, FPLM and SNASP forces committed excesses against civilians.

South Africa Since the inception of the Government's homelands policy in the 1960's, an estimated 8 million South African blacks have been rendered aliens in the Republic of South Africa by virtue of what the Government characterizes as their "citizenship" in one of the so-called "independent" homelands (Transkei, Ciskei, Bophuthatswana, and Venda). They are subject to the same travel and residence restrictions in "white" South Africa as any alien.

Sudan No statistics are available on abuses in war zones, but the migration of people out of these areas and their chilling reports imply widespread disregard for human life and basic human rights by all parties active there.

El Salvador An estimated 400,000 people (down from a previous level of 500,000) are displaced within El Salvador by the conflict, primarily from the northern and eastern zones. As the level of violence falls, an increasing number of refugees are returning from abroad. More than 4,000 have returned from other Central American countries during the past 4 years, according to the UN High Commissioner for Refugees. Even larger numbers of internally displaced persons appear to be moving back to their homes with government assistance.

Haiti Large numbers of Haitians continue to attempt to leave Haiti for economic reasons. Their primary destination is the United States. Pursuant to a 1981 U.S.-Haitian agreement on the interdiction of undocumented migrants, about 3,000 illegal migrants were repatriated to Haiti by the U.S. Coast Guard in 1986.

Vietnam Reports from refugees are consistent and credible concerning the severity of the conditions for prisoners in the reeducation camps. Prisoners face severe and often arbitrary punishment for minor infractions of camp rules, substandard nutrition, and poor or nonexistent medical care. Political prisoners routinely are made to do hard labor. These conditions have resulted in acute suffering, permanent physical impairment, and often times death. It has been reported that persons imprisoned for attempting to flee Vietnam have been beaten to death during interrogation.

...Refugees continued to leave Vietnam clandestinely during 1986, although at a somewhat slower rate than in previous years. Hanoi and provincial radio stations have broadcast reports of executions or lengthy jail sentences for organizers of failed escape attempts, as well as lesser punishments dealt to others implicated.

Thailand The Government's program to screen individual Laotian arrivals, in place since 1985, continues to function, even though the Lao government has so far declined to accept back any of its citizens who have been found inadmissible as refugees.

There are occasional reports that individuals and groups, especially Hmong highlanders, have been denied access to the screening system and compelled to return to Laos. This issue is complicated by the fact that some of these would-be entrants are Lao resistance elements, rather than simple asylum-seekers. Vietnamese coming overland via Cambodia after April 1981 have had to remain at the border for lengthy periods until they were allowed to be considered for third country resettlement. In October about 3,500 overland Vietnamese were on the border. Although the Government closed Khao I Dang holding center to new refugee arrivals from Cambodia in early 1980, another 11,200 Cambodians who surreptitiously entered Khao I Dang since then have been given full access to the center's facilities. Cambodians caught trying to enter Khao I Dang or who violate Thai camp rules have been returned to camps for displaced Khmer on the Thai side of the border.

The UNHCR and the major resettlement countries have supported the Thai policy for promoting voluntary repatriation when that is possible. About 2,900 Lao have returned to their homeland under UNHCR supervision following successful bilateral Thai/Lao negotiations in September 1980. UNHCR negotiations with the Heng Samrin regime concerning the repatriation of Khmer refugees remain stalled. The Government of Vietnam has been unwilling to discuss repatriation of Vietnamese in Thailand. The vast majority of Indochinese in Thailand are not willing to return to their home countries.

Since 1979 nearly 84,000 Vietnamese refugees have arrived in Thailand after perilous journeys across international waters, often in small, unseaworthy boats. Although considerably less than the peak years of 1979-81, the number of arrivals in 1986 averaged about 340 persons per month, slightly higher than the monthly average in the previous 2 years. Boat people continue to suffer from pirate attacks, equipment breakdowns, and navigational problems which cause sickness, starvation, and death.

USSR Jewish, ethnic German, and Armenian emigration remained at severely restricted levels, despite the desire of many thousands to emigrate. Jewish emigration was the second lowest in 20 years. Those few who were allowed to emigrate during 1986 included a number of prominent "refuseniks" whose applications had been pending for more than 10 years.

In early November, the Soviet authorities made public regulations controlling the granting of exit permission to Soviet citizens. In singling out family reunification as the only legitimate ground for emigration, the regulations violated the Soviet commitment to the Universal Declaration of Human Rights, which was incorporated into the Helsinki Final Act.

Iraq Iranian military deserters and civilians who fled to Iraq during the war have been detained and sometimes mistreated. Most of these people reportedly came to Iraq, after long and hazardous journeys through Kurdistan, in response to Iraqi propaganda promising good treatment and easy access to third countries. In response to the decrease in such Iraqi propaganda, the numbers of new arrivals at refugee camps have lessened. There have been frequent allegations that some have been shot or beaten with rubber hoses and metal cables. Some Iranian refugees reportedly have been coerced to collaborate with Iraqi propaganda despite the danger to family members in Iran. When, after many months, these emigres are designated "political refugees," their treatment improves and outside organizations gain access to them.

Pakistan Pakistan provides refuge to nearly 3 million Afghans and is the target of an intense campaign of Soviet-inspired disinformation, sabotage, and subversion. In 1986 dozens died in explosions throughout the Northwest Frontier Province--most believed to be the work of agents of the Kabul regime. Soviet and Afghan government forces have frequently shelled and bombed Pakistan border areas, killing more than 100 people through midyear.

How to Order the Report Copies of the report are available for $31 from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

RIGHTS GROUPS CRITIQUE U.S. RECORD

The Lawyers Committee for Human Rights and the three Watch Committees (Americas Watch, Asia Watch, and Helsinki Watch) have collaborated on a recently published critique of the Reagan administration's human rights record for 1986. The February 1987 report, The Reagan Administration's Record on Human Rights in 1986, is a useful companion volume to the State Department's Country Reports on Human Rights Practices for 1986 (see above).

In addition to an overview and detailed country reports on U.S. human rights reporting and policies for 31 countries and the United Nations, the report includes a section on refugee, asylum, and immigration policy.

The 178-page report is available for $8 from the Watch Committees, 36 West 44th St., New York, NY 10036. (212) 840-9460.

DETENTION OF ALIENS IN THE U.S. CRITICIZED

The United States' policy of detaining asylum seekers is criticized and conditions in INS holding centers are described in Mother of Exiles, published by the Lawyers Committee for Human Rights and Helsinki Watch.

"Many refugees are detained for prolonged periods even though no one has argued that they endanger the security or public safety of the United States, or that they will flee," the report says. "The purpose of detaining refugees is punitive: our government believes that if we make it painful for these refugees to try to enter the United States, some of them will give up their effort to stay here and we will deter others from following in their footsteps."

The report describes conditions in the centers as grim, often unsanitary and overcrowded, and a threat to the personal safety of the detainees.

The 76-page book features eight case histories from asylum seekers in detention. These testimonies reveal the depression and fear among those who had fled to the United States seeking its protection from persecution and violence.

"After 25 years of my suffering, I end up in an American jail," recounted Robert Gardner, a South African in detention in New York. "I thought I would find freedom as a refugee in this country, but my suffering continues. I came here to hide from persecution, but now I experience a new type of persecution....This is beyond my limit. Here my heart beats fast and my body shakes. Being here is like a bad dream."

Mother of Exiles: Refugees Imprisoned in America is available for $8 from the Lawyers Committee for Human Rights, 36 West 44th Street, Suite 914, New York, NY, 10036.

MANUAL EXPLAINS U.S. IMMIGRATION LAW

The National Center for Immigrants' Rights has published a manual providing an overview of U.S. immigration and naturalization law. The manual is geared toward those working with indigent clients by, for example, including a chapter on aliens' rights to public benefits. A section on refugees and asylees gives a helpful introduction to their rights. The manual also includes a thorough treatment of alien children's rights, which discusses, among other things, children with asylum claims and those in INS detention.

The 131-page paperback includes copies of relevant immigration forms and documents. Liberal use of footnotes and an annotated bibliography indicate sources for more detailed information.

The manual, Immigration and Naturalization Law, Second Edition, is available free of charge to nonprofit organizations that serve or represent aliens. For attorneys in private practice, the cost is $15. To order copies, contact the National Center for Immigrants' Rights, 1636 West Eighth St., Suite 215, Los Angeles, CA 90017.

INDOCHINESE CAMP POPULATIONS BY ETHNIC GROUP
As of January 31, 1987

COUNTRY	CAMP	LAO	HIGHLAND	KHMER	VIETNAMESE	TOTAL
HONG KONG	ARGYLE ST. CAMP 1	0	0	0	347	347
	CHI MA WAN	0	0	0	1,250	1,250
	HEI LING CHAU	0	0	0	2,020	2,020
	JUBILEE RECP. CENTER	0	0	0	1,864	1,864
	KAI TAK NORTH	0	0	0	1,580	1,580
	QUARANTINE ANCHORAGE	0	0	0	19	19
	TUEN MUN	0	0	0	951	951
	VICTORIA REMAND CEN.	0	0	0	28	28
	SUBTOTAL	0	0	0	8,059	8,059
INDONESIA	GALANG - 1ST ASYLUM	0	0	41	3,549	3,590
	GALANG RPC	0	0	0	40	40
	SUBTOTAL	0	0	41	3,589	3,630
JAPAN	JAPAN	0	0	0	793	793
KOREA	PUSAN	0	0	0	208	208
MACAU	KAHO	0	0	0	611	611
MALAYSIA	PULAU BIDONG	0	0	0	5,951	5,951
	SUNGEI BESI	0	0	0	3,135	3,135
	SUBTOTAL	0	0	0	9,086	9,086
PHILIPPINES	BATAAN ODP	0	0	0	4,392	4,392
	BATAAN RPC	2,517	0	929	4,523	7,969
	PALAWAN	0	0	0	2,529	2,529
	PPTC	0	0	0	76	76
	SUBTOTAL	2,517	0	929	11,520	14,966
THAILAND	BAN NAM YAO	0	1,692	0	0	1,692
	BAN VINAI	296	41,623	0	0	41,919
	BANGKOK TRANSIT	48	9	98	51	206
	CHIANG KHAM	112	11,897	0	0	12,009
	KAPCHERNG	0	0	1,112	0	1,112
	KHAO-I-DANG	0	0	22,011	0	22,011
	NAPHO	22,658	675	0	0	23,333
	PHANAT NIKHOM RPC	323	3,072	539	0	3,934
	PHANAT PROCESSING	852	120	1,315	6,602	8,889
	PHANAT TRANSIT	772	125	1,565	543	3,005
	SUBTOTAL	25,061	59,213	26,640	7,196	118,110
TAIWAN	TAIWAN	0	0	0	168	168
GRAND TOTAL		27,578	59,213	27,610	41,230	155,631

Source: Department of State, Bureau for Refugee Programs

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FRESNO CITY/COUNTY INITIATIVES PROMOTE REFUGEE INVOLVEMENT

(The following article, based on a Refugee Reports visit to Fresno, California, in February, reviews several community initiatives that respond to the influx of Indochinese refugees in that area.)

One in every ten people in Fresno, California, is a Southeast Asian refugee. The city hosts a Hmong population of 18,000, making it the largest Hmong community outside of Southeast Asia. And more Hmong, perhaps as many as 4,000, are expected to arrive within the year. In a city of 280,000, about 29,000 are Indochinese, counting the "lowland" Lao, Cambodians, and Vietnamese.

The Fresno economy is sluggish, and local officials report an unemployment rate of 12 to 13 percent for the overall population. Around 90 percent of the refugees currently use some form of public assistance. Employment is likely to remain a problem for some time, officials say.

But there is another story in Fresno, beyond these dramatic statistics. It is a surprisingly hopeful one, told by numerous local officials, service providers, and community leaders, as they talk about a variety of cooperative efforts undertaken with and for the refugee community.

A Hmong Migration The Hmong began to migrate to California's Central Valley around 1980. From the mountain highlands of Laos, the Hmong had been allies of the United States during the Vietnam war. The communist victory in 1975 brought on their flight into refugee camps in Thailand. From there, Hmong families eventually were resettled all over the United States, from Orange County, California, to Providence, Rhode Island.

Some were drawn to Fresno by prospects of farming. Some were attracted by the warm climate, by the lower rents, by the more generous welfare benefits. Others simply wanted to reunite with family members.

By 1982, there were an estimated 4,000 Hmong in Fresno, and 12,000 by 1983. A federal study commissioned around that time predicted continued migration, noting that, "The economic situation is grim and

IN THIS ISSUE:

Fresno's Hmong population is the focus of an article which examines how refugees and local officials are creating community programs to improve refugees' lives..1

- Update.................5
- Recent Developments

Hatfield introduces Indochinese refugee bill; Soviets shift policy toward Jewish emigration; Duarte favors stay of deportation for Salvadorans in U.S.; Honduras and Nicaragua agree to Miskito airlift.................5

- Current Research

GAO criticizes INS on New York City detention facility...................9

Congressional committees with refugee interest listed....10

- Projects and Programs

English pronunciation stressed..................13

- Resources............15
- Statistics 16

social services are limited, yet there is a feeling of hope for the future in Fresno."

These feelings of hope persist for the Hmong, and for the refugee community as a whole. One reason for this optimism is the increased access to services that has resulted from a variety of recent local government initiatives. As a result of efforts coordinated by city and county government employees, and funded to a significant degree by local tax dollars, more than 40 Indochinese trainees are working as full-time or part-time employees in social work, income maintenance, recreation and community outreach, health promotion, and crime prevention.

"There is a lot of cooperation going on," said Debbie Tom Ramirez, associate director of Lao Family Community of Fresno, a local service agency. The city and county initiatives, she said, "have put about 40 extra people out into the community. With more people, there are more contacts, more access."

More Hmong Expected This Year But even with adequate access to services, cultural and economic adjustment takes time and money, both of which are in increasingly short supply, according to Fresno city councilman Rod Anaforian. He pointed out that the Office of Refugee Resettlement has proposed significant cutbacks in the refugee budget for FY 88, including sharp reductions in the period of time during which the federal government will reimburse localities for refugee cash and medical assistance costs.

Fresno is already the victim of an "unfair funding process," said Anaforian, that does not account adequately for the impact of secondary migration. Local officials estimate that 92 percent of Fresno's refugee population moved there from somewhere else in the United States. Additional budget cuts are coming at the very time Fresno is expecting an influx of up to 4,000 Hmong, Anaforian said.

State Department officials confirm that 8,900 Hmong will be resettled in the United States in FY 87. Of these, 4,400 will have arrived by the end of April. The remaining 5,500 are expected to enter the country in July, August, and September.

Voluntary agency staff in Fresno said they will resettle about 1,500 to 2,000 Hmong in the last three months of this fiscal year. Secondary migration could account for an additional 1,500 or more.

Tam Nguyen, director of refugee services for Catholic Charities in Fresno, said he expects to hire three or four more staff to deal with the increased workload. The agency has been resettling an average of about 200 refugees per year in Fresno, Nguyen said. It may get up to 650 Hmong in a three month period. "Housing will not be a problem," he said, "but employment certainly will be."

"The Hmong are going to be a big asset to our community." Anaforian said. "We are not going to say close the door. But we do need help from responsible legislators to give us the tools to do the job."

County Trains Refugees in Social Work, Income Maintenance In the meantime, city and county initiatives are underway, training refugees to meet the needs of the growing community.

"The refugees are our neighbors and part of our everyday life," said Ernest E. Velasquez, refugee coordinator for the Fresno County Department of Social Services. "Our programs are part of an effort to get them economically and professionally assimilated."

In the summer of 1986, the Fresno County Department of Social Services recruited and hired seven Indochinese student social workers, citing a "desperate need" for qualified bilingual staff in the social work service division. There were two each of Hmong, Lao, and Vietnamese, and one Cambodian. One Vietnamese left shortly afterward for a job in a local refugee program, leaving six to complete the rigorous training course.

"We have trained this group in more things than we do with our regular new workers," said Kay Campbell, training supervisor for the Indochinese Family Maintenance Project. The topics she listed included welfare eligibility, domestic violence and family problems, law enforcement and legal services, health education and outreach, cardio-pulmonary resuscitation (CPR), drug abuse, income tax assistance, child care, services for the elderly, and minority awareness.

"All the training is valuable," Chareune Sayaseng, a lowland Lao trainee who has been in the United States for about three years, told Refugee Reports. "Most refugees are only familiar with the bottom line--welfare services. It's a very new concept that so many resources are available."

Campbell said that as the trainees have established their competency and visibility in the community, more and more requests for help pour in from hospitals, schools, courts, and from refugee families. "We have been accepted well within the community," Sayaseng said, "even though we're young. If we can help the people achieve what they need, they are pleased."

Several of the trainees told Refugee Reports that intergenerational problems were among their greatest worries for the community, surpassing even the concerns about continuing high rates of public assistance. "The elders have lost hope and the children are adapting so fast," said Kevin Kao Moua, a Hmong who has lived in the United States since 1976. "Parents see their children lost in a world of entertainment, rather than education, and they don't know what to do." He said domestic violence was often a consequence of parents trying to reassert their traditional authority.

City Funds Support Community Outreach In January 1986, the Fresno City Council voted unanimously to allocate $300,000 to the department of parks and recreation in order to provide community services for refugees through a decentralized network of neighborhood community centers. "The city's role is to be a coordinator and collaborator" with all the many different social, health, and educational programs serving the refugee community, said Fred McCray, deputy recreation manager and supervisor of the Community Outreach Program Extension (COPE) project.

The idea for COPE was born, McCray said, when a survey of refugee groups and service providers discovered that "refugees were not mobile enough to leave their neighborhoods" to take advantage of the services that were available. "Our job was to bring the services to them," said McCray.

COPE is now coordinating programs in five sites close to refugee neighborhoods. A staff of 25 part-time employees, including 21 Indochinese, provide information and referral services and after-school recreation programs for the children. In several sites, tenant-landlord groups have been organized to deal with housing problems.

The five neighborhood sites also provide space for other agencies to offer outreach services, according to McCray. Among the services that are currently available or being recruited are English language classes; family counselling; consumer and home management counselling; services for children, youth, and senior citizens; health clinics; and citizenship classes.

Policy Dept. Hires Indochinese Community Service Officers Seven Indochinese community service officers--five men and two women--are now working for the Fresno Police Department, according to Lt. Art Venegas, commander of the Community Services Bureau.

"They do a bit of just about everything," Venegas told Refugee Reports in describing his staff's responsibilities. "They interpret for police investigators, translate crime prevention pamphlets, organize 'neighborhood watch' groups, run workshops in the schools. And they're on call when they are not on duty."

Venegas called the Indochinese community service efforts a "totally decentralized operation." "We work out of the community centers, store fronts, you name it," he said. "The staff spends a considerable amount of time travelling."

Seng Cha, a 23-year-old Hmong, explained that community service officers are not "sworn" police officers. They have not attended police academy and do not carry guns, although they do wear uniforms. "My job is nothing to be afraid of," he said. "We do not get involved in violent crimes. Mostly, we are trying to teach Southeast Asians about the laws in this country."

Incidents of juvenile delinquency and petty theft do occur from time to time, but "that happens in every community," Seng said.

"I enjoy working with people in this job," Seng said. "I have been studying law enforcement at Fresno City College for two years. My goal is to become a regular police officer."

That goal is shared by Sabith Cheth, a 39-year-old Cambodian woman who works with Seng as a community service officer. The entrance exam for the police academy was "really hard for me," Sabith said. "I've failed it once, but I plan to take it again."

Most of her time is spent educating the community about laws in the United States and the role of the police department, Sabith said. She expressed concern at the increasing reports of juvenile delinquency. "Every week there is something, mostly petty theft, shoplifting, things like that."

"It's hard to solve these problems," Sabith said. "I try to spend time with the kids and their families. Sometimes I will try to get the Buddhist temple involved."

"I really like this job," she said. "They teach me so much. I am helping my community, but I am helping myself, too. I never understood the law before. Now I understand more and more."

Refugee Community Health Specialists Work with the County In the Fresno County Health Department, three nurses supervise a staff of eight Southeast Asian refugees who carry out education and outreach programs in the community.

"Our focus is on training volunteers in the community to make referrals, and to provide first aid and emergency care," said Pao Ly, a Hmong community health specialist. "We also translate materials on home safety, communicable disease, and mental health."

The Refugee Health Volunteer Project has been in operation for more than two years, according to Joellyn Hamaguchi, a mental health nurse who supervises the project along with a public health nurse and an environmental health inspector. "Our role is to provide basic health information to the community, and to help them learn how to access the system," Hamaguchi said.

"Through our community health specialists, we recruit and train volunteers to serve as key people in their neighborhoods for health information and referral," Hamaguchi said. With technical assistance from health department staff, the health specialists hold regular classes in apartment complexes, at the community centers, and in adult education programs.

Funding for the project comes from two sources. The three supervisors are on the payroll of the health department, while funding for the paraprofessional community health specialists comes from federal "Title XX" social service funds provided through the Fresno County Department of Social Services.

Hamaguchi said that a project is in the planning stages to hire and train four full-time community mental health specialists to provide outreach and case management to refugees in need of mental health services. These specialists would be county health department employees, she said.

"Our main goal is to make the service systems more accessible to refugees," said H.P. Spees, of the health department. "Part of the way to do that is to change the structures that serve refugees. Another way is to develop refugees as professionals and paraprofessionals within those structures. We feel we are doing both."

Refugee Programs Provide New Focus for City/County Cooperation One positive spin-off from the health project, according to Spees, has been the establishment of the Fresno Housing Coalition, which brings together landlords, refugee leadership, and representatives from local legal services, schools, telephone companies, and utilities to address health and safety issues in refugee housing. "The group confronts problems in landlord-tenant relationships, and also looks at issues like the maintenance and repair of appliances, weatherizing homes, and proper use of utilities," Spees said.

Other local officials and service providers speak of a new cooperative attitude. "We share each other's experiences in training," said McCray. "The different agencies work together so regularly that coordination and linkage are as easy as picking up the phone."

The deputy city manager for Fresno, Bob Quesada, credits the Central California Forum on Refugee Affairs, an interagency group formed in 1982, as playing "an important role in bringing everybody together."

Jonathan Rollins, chairman of the Forum, sees a particular need for cooperation as Fresno begins to prepare for the arrival of more Hmong this summer. "People are worried" about the impact of these new arrivals, Rollins said. "I don't know what's going to happen. We are concerned about an anti-refugee backlash." He said the Forum was planning several public education efforts, including an advertising campaign to provide information about refugees and to remind the people of Fresno of "our history as a culturally diverse community."

The history of Fresno county, Quesada pointed out, reflects not only cultural diversity, with over 70 ethnic groups represented, but a pattern of special receptiveness to refugees. "We had Armenians at the turn of the century, then Germans from Russia. We see refugees as a long-term commitment," he said.

"Refugees are here," said Velasquez, "and they are here to stay."

Update

° Two bills designed to reunite family members who may become separated because of the new immigration act have been introduced in the House by Rep. Edward R. Roybal (D-Cal.). The bills, H.R. 1812 and H.R. 1813, waive the act's "continuous residence" requirements for spouses and children of those qualified for legalization, and for the parents of children who are U.S. citizens born after December 31, 1981, and before November 7, 1986. An aide to Roybal indicated there was widespread support for these measures in the Congressman's district, but little, so far, on Capitol Hill. The bills, which have no co-sponsors, have been referred to the House Judiciary Committee.

° Rep. Henry B. Gonzalez (D-Tex.) has introduced a measure, H.R. 1120, which would, in effect, "decriminalize" activities of the sanctuary movement. The bill protects from prosecution those who feel compelled by their religious beliefs to harbor and transport aliens they think are refugees. The bill has 16 co-sponsors and has been referred to the House Judiciary Committee. No similar measure exists in the Senate.

° A new office has been set up within the Justice Department to review asylum policy, according to an April 7 announcement by Attorney General Edwin Meese. The office, called the Asylum Policy and Review Unit, will have several functions, including analysis of human rights conditions in various countries, review of certain Immigration and Naturalization Service (INS) and Board of Immigration Appeals (BIA) asylum decisions, and training of INS personnel. The unit's training role could grow "if and when new asylum regulations are issued," according to Ralph Thomas, INS deputy assistant commissioner for refugees, asylum and parole. Thomas said INS has been operating under interim asylum regulations since June 1980.

The unit, which will be fully operational within 60 days, according to a Justice Department spokesman, will be headed by Dr. Roger Pilon, former director of policy at the State Department's Bureau for Human Rights and Humanitarian Affairs. Pilon will report directly to the Deputy Attorney General. Formation of this unit has been under consideration for "several months," and was not prompted by the Supreme Court's Cardoza-Fonseca decision, Justice Department officials said (see Refugee Reports, Vol. III, No. 3). That decision refuted the administration's position that a refugee must prove a "clear probability" rather than a "well-founded fear" of persecution.

° On March 30, Thai authorities repatriated 20 Hmong refugees who had been smuggled into Thailand in an effort to enter Ban Vinai refugee camp, according to The Nation, a Bangkok-based newspaper. One of the Thai smugglers captured by the police admitted that each of the refugees paid an equivalent of $150 to be smuggled out of Laos.

In the same article, The Nation noted that about 500 Hmong families are waiting in Laos across the Mekong River from the Thai village of Pakchom for the right opportunity to sneak into Ban Vinai.

° In an April 2 letter to Rep. Stephen J. Solarz (D-N.Y.), the Thai ambassador to the the United States, Arsa Sarasin, urged the United States to establish an admissions quota for Hmong refugees of 10,000 annually during the next five years, according to a Solarz aide.

Recent Developments

SENATOR HATFIELD INTRODUCES INDOCHINESE BILL

Citing an "ugly, steady erosion" in the U.S. refugee program in Southeast Asia, Sen. Mark O. Hatfield (R-Ore.) introduced legislation in Congress on March 23 that would renew U.S commitments to Indochinese refugee resettlement and protection for at least three years. The bill (S. 814), which has 10 cosponsors in the Senate, would transfer refugee admissions authority from the Immigration and Naturalization Service (INS) to the Department of State. The Hatfield legislation, the Indochinese Refugee Resettlement and Protection Act of 1987, would also set an annual admissions ceiling for Indochinese of at least 36,500 for each of the next three fiscal years.

Within the annual admissions numbers allotted for Indochinese refugees, the bill stipulates that at least 9,000 of the people admitted in a given year must have lived in refugee camps for at least three years.

In other provisions, the bill allocates $5 million for refugee educational programs in Thailand during each of the next two years, and $5 million for the same period to aid Thai villages that are near refugee camps.

An identical bill was introduced in the House of Representatives by Rep. Chester Atkins (D-Mass.) on April 6. The Atkins bill (H.R. 1940) has 6 cosponsors.

Hatfield Criticizes INS Rejection Rates

In a Senate speech introducing the bill, Hatfield was critical of INS's performance in rejecting up to 60 percent of the lowland Lao refugees interviewed earlier this year. Recalling previous instances of high rejection rates, Hatfield said that the "persistent INS processing problem...is directly causing a major diplomatic problem for the United States" in the Southeast Asia region.

"I believe that Congress can best implement its...foreign policy objectives by removing INS from the process" of determining whether to admit refugees into the United States," Hatfield said.

Refugee admissions authority was given to INS in the Refugee Act of 1980. The Hatfield/Atkins bill would only remove INS authority for the East Asia region. The other four regions of the world--Africa, Latin America and the Caribbean, the Near East and South Asia, and Eastern Europe and the Soviet Union--would not be affected by the legislation.

Bill Sets Minimum Admissions Figures For Indochinese Refugees The Hatfield/Atkins bill would establish minimum annual admissions ceilings for the East Asia region from FY 88 to FY 90. The ceiling for refugee admissions from first asylum countries would be set at "at least 28,000," and admissions from Vietnam through the Orderly Departure Program would be "at least 8,500" per year.

The bill also states that 9,000 "long-stayers," people who have lived in refugee camps for at least three years, must be included in the annual Indochinese admissions. Figures from the UN High Commissioner for Refugees (UNHCR) indicate that, of the 143,000 official residents of UNHCR camps in Southeast Asia, 72,000 have been there for three years or more.

The bill provides that the annual consultation between Congress and the administration on refugee admissions for the next fiscal year would be held "not later than May 1" before the start of the fiscal year.

Currently, consultations are held only a few weeks, or even a few days, before the fiscal year ends on September 30. Some observers have argued that, given this timing, the consultations process can do little more than confirm an admissions ceiling already established when the budget is set earlier in the year.

Refugee Protection and Assistance Underscored In FY 88 and FY 89, the Hatfield/Atkins legislation allocates $11 million for various protection and assistance initiatives in Thailand. For educational programs in camps along the Thai-Lao and Thai-Cambodian borders, the bill authorizes $5 million to be spent in each of the next two fiscal years.

An additional $5 million in economic support funds would go to Thai villages "within close proximity to Indochinese refugee camps," and $1 million would be allocated to train Thai armed forces to protect the refugee camps.

The bill, further, expresses the sense of Congress "that international observers and relief personnel should be present on a twenty-four hours a day basis at camp 'Site 2' in Thailand." Temporary home to more than 150,000 Cambodian refugees, Site 2 has been the subject of numerous recent accounts detailing the human rights abuses that occur after international relief agency staff have finished work.

MAJOR CHANGE IN SOVIET JEWISH EMIGRATION IN THE WORKS

In what could be a change with far-reaching consequences, the Soviet Union has indicated to two prominent Jewish leaders that Soviet Jews with exit visas for Israel will travel first to Romania, rather than to Austria.

This could have a major impact on Jewish refugee resettlement in the United States, as 90 percent of Soviet Jews in recent years after arriving in Austria have opted to travel to the United States or other countries, rather than Israel.

Morris B. Abrams, chairman of both the National Conference on Soviet Jewry and the Conference of Presidents of Major American Jewish Organizations, and Edgar Bronfman, president of the World Jewish Congress, met in late March with officials in the Soviet Union. Among other things, Abrams and Bronfman said that the Soviets agreed on the following points:

- ° Soviet Jews with exit visas for Israel will travel via Romania on flights to be established.
- ° All refuseniks and their families will be permitted to emigrate to Israel within a one-year period, except for legitimate national security cases.
- ° First-degree relatives may emigrate for familiy reunification within an established time frame. There may be flexibility within the framework of the current narrow interpretation of "first-degree relative."
- ° Cases of those refuseniks recently placed in a "never allowed to emigrate" category will be reviewed.

Increased Numbers of Jews Are Exiting USSR

In March, some 470 Soviet Jews received permission to emigrate, a sharp increase over the 98 given permission to emigrate in January. The March figure was the highest monthly total since the end of 1981 (though still well below the 4,000 per month who were leaving during the height of Soviet Jewish emigration in 1979).

The apparent Soviet signal came amidst discussions between Israel and segments of the American Jewish community about the ultimate destination of Soviet emigres--Israel or the United States. Many American Jewish figures had opposed a request from Israeli Prime Minister Yitzhak Shamir that the United States not accord refugee status to Soviet Jews in a bid that would require them to settle initially in Israel (see Refugee Reports, Vol. VIII, No. 3).

The Abrams-Bronfman meeting was quickly endorsed by Israeli Foreign Minister Shimon Peres, who said in an April 4 Christian Science Monitor interview that the Soviet agreement to fly Jews directly to Israel via Romania "is the most crucial part of the whole story."

CONGRESSIONAL SUBCOMMITTEE, SALVADORAN GOVERNMENT CALL FOR TEMPORARY NONDEPORTATION OF SALVADORANS

On April 10, the Senate judiciary subcommittee on refugees and immigration voted 2 to 1 to forward the Moakley/DeConcini bill to the full judiciary committee. The measure, S. 332, would prevent the deportation of Salvadoran nationals to their homeland for up to two years while a Government Accounting Office (GAO) study is conducted to determine whether it is safe for them to return.

Salvadoran Government Favors Temporary Stay of Deportation

Salvadoran President Jose Napoleon Duarte said that he has asked the United States to give a special concession to Salvadorans to allow them to remain in the United States. The Salvadoran president's remarks came in an interview on Salvadoran television March 10 during a discussion of the new U.S. immigration law. Duarte said he deplored the Immigration Reform and Control Act, and raised particular concern about the effect it could have on increasing the number of deportations.

Duarte said that the thousands of Salvadorans who might return as a result of the new legislation would create uncertainty in El Salvador. He said, "This will be very difficult. It will be very difficult for them, the people, and the government."

Duarte said that there has been no U.S. response to his request to the United States not to deport Salvadorans.

According to the Salvadoran embassy in Washington, D.C., increased numbers of

Salvadorans in the United States have been repatriating since President Reagan signed the immigration reform bill into law in November. The number of requests for passports at the embassy has risen from about 10-to-15 per day before the new immigration law, to 40-to-70 per day now. An embassy source told Refugee Reports that passports are requested not only by people departing the United States voluntarily, but also by people being deported.

In late March, Salvadoran Foreign Minister Ricardo Acevedo Peralta visited the United States and was reported by the Salvadoran media to have raised the issue with Elliott Abrams, the assistant secretary of state for inter-American affairs.

According to Spanish-language radio Cadena YSKL on March 20, "Acevado requested of Abrams that a special exception be made to prevent the massive and disorderly repatriation of most of the 500,000 to 600,000 Salvadorans residing in the United States, or, if no exception is made, that more financial aid be granted to El Salvador."

Salvadorans Say Many Not Able To Return To Their Homes The Salvadoran embassy source told Refugee Reports that a new commission has been established in El Salvador to "look for a way for these people to stay in the United States." The embassy source said, "We are not in a position to help them upon their return. Most come from areas where there is fighting and can't return home." Not only are returned migrants prevented from returning to their homes, but also space is not available for them in displaced persons camps, according to the embassy source. As a consequence, the source said, most stay in the city of San Salvador.

Added to El Salvador's troubles have been widespread casualties and destruction caused by a major earthquake in October. Tens of thousands were reportedly left homeless, and job prospects for returning Salvadorans are dim. "The situation has gotten a lot worse since the earthquake," said the embassy source.

Study Shows Migrants Help Salvadoran Economy The prospect of a significant return of Salvadorans from the United States will have the effect not only of creating added strains on the domestic housing, welfare, and employment pictures, but also in significantly reducing the amount of dollars sent to El Salvador from relatives working in the United States. According to a Georgetown University-funded study by Rev. Segundo Montes, a Jesuit sociologist with the Central American Research Institute, an estimated one million Salvadorans living in the United States send home more than $113 per month, for a total of $1.3 billion per year. The findings, reported in the Salvadoran press on March 11, were based on more than 3,000 interviews conducted throughout the United States and El Salvador. Most previous estimates of Salvadorans in the United States have been in the range of a half million people.

According to a March 5 AP report from San Salvador, the current U.S. embassy estimate for the amount sent home by Salvadorans in the United States is $350 million, considerably less than Rev. Montes' estimate, but greater than the $268.2 million provided in U.S. economic loans and grants to El Salvador last year.

HONDURAS AND NICARAGUA NEAR AGREEMENT ON MISKITO AIRLIFT

Nicaraguan Miskito Indian refugees in Honduras who want to return home may soon be airlifted to Nicaragua if "technical tie-ups" can be worked out between the governments of Honduras and Nicaragua, according to UNHCR. Confirmation of the plan comes as evidence builds that non-Miskito contra forces may be active in northeastern Nicaragua--the traditional homeland of Nicaragua's Miskitos.

A State Department official, when asked about the potential danger of contra activity to returning Miskitos, said, "We've always chastised the Nicaraguan government for placing civilians in dangerous areas." But, he added, "Our main concern is that whatever is done is done on a voluntary basis."

Another Central American expert confirmed a report in the April 14 New York Times that non-Miskito forces were operating in northeastern Nicaragua, but was cautious in his estimate of their impact on repatriation efforts. "It's hard to say right now because it is such a recent development," said Juan Mendez, director of the Washington office of America's Watch. "I doubt that the contra force will have the ability to disrupt life there and I don't think it will be decisive."

"I would take the airlift as a positive step," said Gil Loescher of the University of Notre Dame. But, "it seems somewhat surprising in view of the press reports of contra activity," in the area.

The first flight, originating from Puerto Lempira, Honduras, and arriving in Puerto Cabezas, Nicaragua on the Caribbean coast, could take place by the end of April. The airlifts have been under consideration by UNHCR for months as a way to avoid an otherwise arduous overland treck from Mocoron in northeast Honduras to Tegu to Managua and on to Nicaragua's Mosquitia area in the northeast--a journey of several hundred miles which can take weeks or even months.

"Up till now, UNHCR has been forced to proceed with a cumbersome repatriation. This airlift is a very welcome thing," Mendez said. "Our understanding is that many people want to go back but aren't allowed to by the contras." The airlift might provide a way around this problem, he said.

"Our concern is where are they going to be located after they land in Nicaragua," said Jason Clay, director of research and editor at Cultural Survival. "Will they return to their homes?"

"We've learned," Mendez said, "that UNHCR may place a protection officer in Nicaragua to oversee refugee repatriation in the country. We think the idea is warranted." The Nicaraguan government has not been prohibiting Miskitos from settling on their former lands, Mendez said, except in some highly dangerous areas. He added that the government has allowed the International Committee of the Red Cross (ICRC) to establish relief sites all along the Coco River.

There may be between 15,000 and 25,000 Miskito Indians in Honduras, according to Mendez. UNHCR reports that they have been returning steadily from Honduras this year--850 between January 1 and March 20.

Current Research

NEW YORK INS DETENTION FACILITY FOUND INADEQUATE

A recently released study by the General Accounting Office (GAO) of the Immigration and Naturalization Service's (INS) New York City detention facility found its security to be "inadequate".

Although the Varick Street "service processing center" (SPC) was designed for short-term holding of a few days, the GAO found 83 percent of the detainees to have been held for more than 8 days; 49 percent, more than a month; and 18 percent, for 6 months or more.

Although the facility was designed for noncriminal aliens, the GAO found 67 percent of the detainees in April 1986 to have criminal backgrounds.

Criminal and Noncriminal Aliens Detained Together Particularly relevant to the safety of detained noncriminal asylum seekers was the GAO finding that "the SPC houses aliens in a dormitory-style arrangement whereby criminal aliens, often violent and with lengthy prison records, are mixed with aliens who do not have criminal backgrounds." The report notes, "Under such circumstances, noncriminal aliens are exposed to the risk of abuse, harassment, assault, or injury by those aliens with criminal backgrounds."

Disruptive incidents reported at the facility include physical abuse, assaults against other detainees and guards, smuggling of drugs and weapons, vandalism, escapes, and several riots and near riots.

The report pointed out that SPC detention officers have been cited for physical and sexual harassment of detainees, unauthorized possession of firearms, and fighting with other guards, among other examples of misconduct and inattentiveness to professional duties.

In addition to the INS detention officers, the facility employed guards from a contract guard service. They received no basic training in security or correction matters, according to the report. The report noted "lack of vigilance, gross negligence to duty, gross misconduct, and suspected collusion in detainee escapes" among the contract guard staff.

The report, Criminal Aliens: INS' Detention and Deportation Activities in the New York City Area, number GAO/GGD-87-19BR, is available free of charge (for five copies or less) from the U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877.

CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES WITH REFUGEE INTERESTS
ONE HUNDRETH CONGRESS

For each committee and subcommittee, the majority members--Democrats--are listed first. Minority members appear second. The first name listed is the committee chair (underlined); the first minority member listed is the ranking minority member (underlined); Areas of jurisdiction related to refugee issues are listed in parenthesis after the committee name.

SENATE

Committee on the Judiciary (includes oversight of the Department of Justice, including the Immigration and Naturalization Service; immigration and refugee matters)

- Joseph R. Biden, Del.; Edward M. Kennedy, Mass.; Robert C. Byrd, W.Va.; Howard M. Metzenbaum, Ohio; Dennis DeConcini, Ariz.; Patrick J. Leahy, Vt.; Howell T. Heflin, Ala., Paul Simon, Ill.
- Strom Thurmond, S.C.; Orrin G. Hatch, Utah; Alan K. Simpson, Wyo.; Charles E. Grassley, Iowa; Arlen Specter, Pa.; Gordon J. Humphrey, N.H.

Immigration and Refugee Policy Subcommittee of the Judiciary Committee (immigration and naturalization; refugees and refugee policy; oversight of INS and Board of Immigration Appeals)

- Edward M. Kennedy, Mass.; Paul Simon, Ill.
- Alan K. Simpson, Wyo.

Committee on Foreign Relations (includes relations of the U.S. with foreign nations and international organizations)

- Claiborne Pell, R.I.; Joseph R. Biden, Jr., Del.; Paul S. Sarbanes, Md.; Alan Cranston, Calif.; Christopher J. Dodd, Conn.; John F. Kerry, Mass.; Paul Simon, Ill.; Terry Sanford, N.C.; Brock Adams, Wash.; Daniel P. Moynihan, N.Y.
- Jesse Helms, N.C.; Richard G. Lugar, Ind.; Nancy L. Kassebaum, Kan.; Rudy Boschwitz, Minn.; Larry Pressler, S.D.; Frank H. Murkowski, Alaska; Paul S. Trible, Jr., Va.; Daniel J. Evans, Wash.; Mitch McConnell, Ky.

African Affairs Subcommittee of the Committee on Foreign Relations (matters relating to Africa except the countries along the Mediterranean Sea)

- Paul Simon, Ill.; Terry Sanford, N.C.; Daniel P. Moynihan, N.Y.
- Nancy L. Kassebaum, Kan.; Jesse Helms, N.C.

East Asian and Pacific Affairs Subcommittee of the Committee on Foreign Relations (matters relating to Asia, including the countries of Southeast Asia)

- Alan Cranston, Calif.; Christopher J. Dodd, Conn.; John F. Kerry, Mass.; Brock Adams, Wash.
- Frank H. Murkowski, Alaska; Daniel J. Evans, Wash.; Richard G. Lugar, Ind.; Mitch McConnell, Ky.

European Affairs Subcommittee of the Committee on Foreign Relations (all matters relating to Europe, including the Soviet Union and Eastern Europe)

- Joseph R. Biden, Jr., Del.; Paul S. Sarbanes, Md.; Paul Simon, Ill.;

Larry Pressler, S.D.; Paul S. Trible, Jr., Va.; Rudy Boschwitz, Minn.

Near Eastern and South Asian Affairs Subcommittee of the Committee on Foreign Relations (matters relating to the Middle East and South Asia, including Afghanistan and Pakistan)

- Paul S. Sarbanes, Md.; Alan Cranston, Calif.; Terry Sanford, N.C.; Daniel P. Moynihan, N.Y.

Rudy Boschwitz, Minn.; Mitch McConnell, Ky.; Larry Pressler, S.D.

Western Hemisphere and Peace Corps Affairs Subcommittee of the Committee on Foreign Relations (matters relating to North, South, and Central America)

- Christopher J. Dodd, Conn.; Alan Cranston, Cal.; John F. Kerry, Mass.; Terry Sanford, N.C.; Claiborne Pell, R.I.

Richard G. Lugar, Ind.; Nancy L. Kassebaum, Kan.; Paul S. Trible, Jr., Va.; Daniel J. Evans, Wash.

Foreign Operations Subcommittee of the Committee on Appropriations (includes foreign aid, migration and refugee assistance, U.S. Emergency Refugee and Migration Assistance Fund)

- Daniel K. Inouye, Hawaii; J. Bennett Johnston, La.; Patrick J. Leahy, Vt.; Dennis DeConcini, Ariz.; Frank R. Lautenberg, N.J.; Tom Harkin, Iowa; Barbara Mikulski, Md.
- Robert W. Kasten, Jr., Wis.; Mark O. Hatfield, Jr., Ore.; Alfonse M. D'Amato, N.Y.; Warren Rudman, N.H.; Arlen Specter, Penn.; Don Nickles, Okla.

Labor, Health and Human Services, Education and Related Agencies Subcommittee of the Committee on Appropriations (includes Department of Education and Department of Health and Human Services), including Office of Refugee Resettlement)

- Lawton Chiles, Fla.; Robert C. Byrd, W.Va.; William Proxmire, Wis.; Ernest F. Hollings, S.C.; Quentin N. Burdick, N.D.; Daniel K. Inouye, Hawaii; Tom Harkin, Iowa; Dale Bumpers, Ark.
- Lowell P. Weicker, Jr., Conn.; Mark O. Hatfield, Ore.; Ted Stevens, Ala.; Warren Rudman, N.H.; Arlen Specter, Pa.; James A. McClure, Idaho; Pete V. Domenici, N.M.

HOUSE OF REPRESENTATIVES

Committee on the Judiciary (includes civil liberties, immigration and naturalization, and refugee matters)

- Peter W. Rodino, Jr., N.J.; Jack Brooks, Tex.; Robert W. Kastenmeier, Wis.; Don Edwards, Calif.; John Conyers, Jr., Mich.; Romano L. Mazzoli, Ky.; William J. Hughes, N.J.; Mike Synar, Okla.; Patricia Schroeder, Colo.; Dan Glickman, Kans.; Barney Frank, Mass.; Geo W. Crockett, Jr., Mich.; Charles E. Schumer, N.Y.; Bruce A. Morrison, Conn.; Edward F. Feighan, Ohio; Lawrence J. Smith, Fla.; Howard L. Berman, Calif.; Rick Boucher, Va.; Harley O. Staggers, Jr., W.Va.; John Bryant, Tex.; Benjamin L. Cardin, Md.
- Hamilton Fish, Jr., N.Y.; Carlos J. Moorhead, Calif.; Henry J. Hyde, Ill.; Dan Lungren, Calif.; F. James Sensenbrenner, Jr., Wis.; Bill McCollum, Fla.; E. Clay Shaw, Jr., Fla.; George W. Gekas, Pa.; Michael DeWine, Ohio; William E. Dannemeyer, Calif.; Patrick L. Swindall, Ga.; Howard Coble, N.C.; D. French Slaughter, Jr., Va.; Lamar S. Smith, Tex.

Immigration, Refugees, and International Law Subcommittee of the Committee on the Judiciary (includes immigration and naturalization, citizenship, and admission of refugees)

- Romano L. Mazzoli, Ky.; Barney Frank, Mass.; Charles E. Schumer, N.Y.; Bruce A. Morrison, Conn.; Howard L. Berman, Calif.; John Bryant, Tex.
- Patrick L. Swindall, Ga.; Hamilton Fish, Jr., N.Y.; Bill McCollum, Fla.; D. French Slaughter, Jr., Va.

Committee on Foreign Affairs (includes relations of the U.S. with foreign nations and international organizations)

- Dante B. Fascell, Fla.; Lee H. Hamilton, Ind.; Gus Yatron, Pa.; Stephen J. Solarz, N.Y.; Don Bonker, Wash.; Gerry E. Studds, Mass.; Dan Mica, Fla.; Howard Wolpe, Mich.; Geo. W. Crockett, Jr., Mich.; Sam Gejdenson, Conn.; Mervyn M. Dymally, Calif.; Tom Lantos, Calif.; Peter H. Kostmayer, Pa.; Robert G. Torricelli, N.J.; Lawrence J. Smith, Fla.; Howard L. Berman, Calif.; Mel Levine, Calif.; Edward F. Feighan, Ohio; Ted Weiss, N.Y.; Gary L. Ackerman, N.Y.; Morris K. Udall, Ariz.; Chester G. Atkins, Mass.; James McClure Clarke, N.C.; Jaime B. Fuster, P.R.; James H. Bilbray, Nev.; Wayne Owens, Utah; Fofo I.F. Sunia, Am. Samoa
- William S. Broomfield, Mich.; Benjamin A. Gilman, N.Y.; Robert J. Lagomarsino, Calif.; Jim Leach, Iowa; Toby Roth, Wis.; Olympia J. Snowe, Maine; Henry J. Hyde, Ill.; Gerald B.H. Solomon, N.Y.; Doug Bereuter, Nebr.; Robert K. Dornan, Calif.; Christopher H. Smith, N.J.; Connie Mack, Fla.; Michael DeWine, Ohio; Dan Burton, Ind.; Jan Meyers, Kans.; John Miller, Wash.; Donald E. "Buz" Lukens, Ohio; Ben Blaz, Guam

Africa Subcommittee of the Committee on Foreign Affairs (matters relating to Africa, including foreign assistance)

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Projects and Programs

EFFORTS TO CORRECT REFUGEES' ENGLISH PRONUNCIATION UNDERWAY

English-as-a-second-language (ESL) teachers on the frontline of the battle to teach English and acculturation for newly arrived refugees are generally preoccupied with providing basic grammatical pointers and enough vocabulary to enable their refugee students to find entry-level jobs. They might well respond with skepticism to the thought that they should also be concerned with modification of foreign accents. However, a growing body of specialists has begun to point out the importance of paying attention to pronunciation. They say it is necessary to achieve basic levels of communication and indispensable to advancement from the bottom rung of the American economic ladder.

Accent affects not only the ability of the foreign-born person to speak clearly, but also to understand the language as it is spoken by the native born. The accent handicap not only creates barriers to basic communication with obvious consequences for job advancement, but also undermines the refugee's self esteem. A former lawyer from Cambodia working as a custodian in a public library was confused and hurt because he constantly heard his supervisor say, "You bad." It wasn't until he finally spoke to an American friend about his problem that he learned the boss had been saying, "You bet."

"Some survival ESL courses are geared around a list of important words. But there is more to the language than those few words," said Virginia French Allen, author of the newly published *The Sounds of American English* (see Resources), "It is a snare and delusion to say with these 75 words you are prepared for a job."

Allen maintains that, while ESL teachers should continue to promote survival vocabulary, they need to be trained in the English sound system. Many students cannot learn pronunciation by imitation alone. "They need to be shown the vocal apparatus for producing sounds."

Judy Gilbert, author of *Clear Speech*, published by the Cambridge University Press, said that the influx of Southeast Asian refugees has helped to show that "pronunciation is not a frill, but a core need."

Gilbert, who started her career as an ESL teacher, said, "Most teachers are tired, harassed, and don't have much time. They fall back on the familiar." She said that those who approach pronunciation at all generally engage in drills of "minimal pairs"--such as "boat" and "vote." Gilbert maintains that the emphasis on individual sounds is an inefficient approach to teaching pronunciation. "Advanced students tire of drills and don't want to do things they think aren't worthwhile. A lot of teachers simply give up on pronunciation." Gilbert laments this pattern, which she sees as prevalent in refugee adult education. "Their work future depends on becoming comprehensible."

Betty Robinett, coauthor of the *Manual of American English Pronunciation*, now in its fourth printing from Holt Rinehart, said, "I'm not concerned that the non-native speaker learn to pronounce the perfect 'e' sound. Perfect pronunciation is not necessary." Robinett emphasizes intonation and stress as important to comprehension. "Correct intonation and stress allow for imperfect sound segments" so that while all the words may not be pronounced correctly, phrases will at least be adequately communicated.

Gilbert's approach is very much along the lines suggested by Robinett. Gilbert calls attention to what she calls the "musical pattern" of language. Many languages, such as Spanish, have a regular rhythm in which each syllable is given equal time. In English, however, not only are syllables irregularly linked, but sentences convey important meanings through stress. It is particularly difficult for non-native speakers to hear the lengthening and change of pitch that provide important signals of meaning. She cites the sentence *"John," said the boss, "is stupid."* and *"John said the boss is stupid."* as an example of how the same words can have quite different meaning depending on how they are spoken.

Gilbert uses several simple techniques to show pitch patterns. Using a kazoo, her students can "strip away distracting vocabulary" to reveal the pitch pattern of English sentences. She also has her students stretch a big rubber band as they say

English words and phrases to "feel" how syllables are lengthened and stressed. The change of pitch between the noun "record" and the verb "record", for example, convey different meanings.

Gilbert suggests that teachers should pay greater attention to having refugee students emphasize the critical word in a sentence and to be more aware of the language's "musically stressed syllables." Rather than emphasizing every word, as is tempting within the confines of the language classroom, Gilbert says that the way English is spoken is a system of contrasts, and that emphasis on every word muddles comprehension.

A local ESL teacher, Carol Van Duzer, of the Arlington, Virginia Education and Employment Program, said that ESL teachers at the classroom level are very concerned with the problem, but that to correct pronunciation is "a very slow process." She said that to stop and concentrate on pronunciation would be very frustrating for the students, who would not be able to see enough progress.

Donald Ranard, editor of Passage, a journal of refugee education, said that in ESL instruction today pronunciation is not taught explicitly, especially at the lower levels, but rather is acquired in the course of natural communication. He said that this is a departure from the earlier ESL "audiolingualism" approach, where different parts of language--grammar, vocabulary, the sound system--were taught in isolation from their real meaning. Now, he said, ESL involves fewer drills and stresses achieving competency "to get the message across."

Bruce Downing, an associate professor of linguistics at the University of Minnesota involved with the Southeast Asian Refugee Studies Project, said that despite the trend in ESL to focus on communicating in real situations, he believes that "there is a place for pronunciation drill in the ESL classroom." He pointed out that in the Hmong language, words are typically one syllable consonants followed by vowels. The final consonants in English words are very difficult for the Hmong. For example, Hmong find it almost impossible to distinguish tense in words such as "walk" and "walked".

Downing recognizes that with the strong influence of native language on pronunciation that "we have to create new channels of speech." He said that many refugee language instructors come into the field as "literacy volunteers," trained in neither ESL nor pronunciation articulation. "What is needed," he said, "is more professionals."

Speech Pathologists Take Interest in Refugees Recognizing that many ESL teachers are not trained in phonetics, speech pathologists have been showing an increasing interest in working with refugees to modify their accents.

Dr. Arthur Compton, director of the Institute of Language and Phonology, has trained hundreds of speech therapists in improving pronunciation skills for the foreign born. His program, Compton Pronouncing-English-as-a-second-language (PESL), is making significant inroads into the community of refugees and immigrants who have been in the United States for relatively longer periods of time and who have found accent to be a barrier toward career advancement. He has established a referral network of 350 speech pathologists around the country trained in Compton PESL. Referrals are made by calling 1-800-LANGUAGE.

Compton sees an important distinction between teachers and pathologists. "I have elected to restrict my training to speech pathologists because of their good, solid training in phonetics and in changing communication behavior." Although the PESL student does not have a pathological speech condition, the clinical skills of speech pathology help to identify problem areas and to solve them.

Wendy Fox is a speech pathologist in Falls Church, Virginia, who follows the Compton PESL approach. She says that her refugee clients are different from her native speaker clients with speech impediments. "These are who are more open to change." Fox said that motivation is an important positive factor for refugees. "They are surprised to learn they can change speech patterns. Once they do begin to succeed, they feel very positive about it."

Barriers Prevent Refugees from Getting Help Getting refugees to come forward in the first place for remedial language help is difficult. Often the refugee is resigned to seeing accent as a permanent handicap that is not correctable. There is frequently a lack of awareness that anyone can help to overcome the problem. A Hmong refugee in Minnesota who had completed a masters degree in social work had such poor pronunciation that he could not get a job. Rather than getting specialized help on his pronunciation, he went for more advanced professional training. After the further investment of time, money, and training, he was no better able to get a job than before.

Another major obstacle is the cost of accent modification. Van Duzer said, "Sure it would be wonderful to have remedial work for refugees in pronunciation, as well as other areas such as developing reading and writing skills, but funding is the problem."

Although there seem to be no such government-funded remedial programs, Fox has been successful in convincing some employers to fund accent modification training for their employees. Recently, the American Security Bank enrolled 13 employees in Fox's program. Within a month of taking the course, 11 of them had either been promoted or reached their citizenship goals.

But employers are not universally receptive to language training for their refugee employees. "Too often," said Downing, "Hmong refugees are seen as good assembly line workers doing very mechanical tasks that don't involve communication. Employers are happy to let them stay at the entry level and don't see it as being in their interest to help them advance."

Resources

PRONUNCIATION OF AMERICAN ENGLISH EXPLAINED

The Spring Institute of International Studies has just published a bilingual handbook in English and Vietnamese for speakers of other languages who wish to improve their pronunciation of English.

The Sounds of American English, by Virginia French Allen, features a numerical system (rather than phonetic symbols) to represent the ten vowel sounds of English. The author explains how the sounds are formed, how readers can determine the pronunciation of words from spelling patterns, and how to distinguish between sounds that are often confused by students of English. The book is designed to be a resource and guide for students working on their own or with a teacher.

The first edition is in English with a Vietnamese translation by Cao Anh Quan. Translations into other languages are planned. The book is available for $8 (plus $2 per copy for shipping) from the Spring Institute for International Studies, 4891 Independence St., Suite 100, Wheat Ridge, CO 80033. Tel. (303) 431-4003.

CROSS-CULTURAL TEACHER AND SUPERVISOR HANDBOOKS PUBLISHED BY EXPERIMENT PRESS

The Experiment in International Living has developed a six-volume series of training materials for working with refugee and immigrant populations. Based on six years of training refugees in Southeast Asia, the Newcomer Series includes five teacher handbooks and a supervisor handbook.

Each volume offers a competency-based curriculum organized into 30 to 60 lessons, ideas for lesson planning, and techniques for teaching language, literacy, numeracy, and cultural understanding.

The five teacher handbooks--Opening Lines (ESL), Shifting Gears I & II (pre-employment training), and Settling In I & II (U.S. cultural orientation)--are priced at $12.95 each. The set is available for $45.00. The supervisor handbook, Teaching Teachers, costs $14.95. For information contact The Experiment Press, Kipling Road, Brattleboro, VT, 05301. (802) 257-0676.

USCR ASYLUM PAPER AVAILABLE

The U.S. Committee for Refugees is making multiple copies of its recent issue paper on U.S. asylum policy available free-of-charge to groups wishing to distribute it. Contributions to cover the costs of postage and handling are appreciated. To request copies of the paper, Despite a Generous Spirit--Denying Asylum in the United States, write or call USCR, 815 15th St., NW, Washington, D.C. 20005, (202) 667-0782.

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INDOCHINESE CASELOAD BY LENGTH OF STAY IN CAMPS (DECEMBER 31, 1986)

	HONG KONG	INDONESIA	MALAYSIA	PHILIPPINES	THAILAND					TOTAL BOAT PEOPLE	TOTAL
					Khmer	Laotian		Vietnamese			
						lowland	hilltribe	boat	land		
1 year or less	1,775	1,568	5,430	1,503	1,328	3,530	7,268	3,318	372	13,594	26,092
1 - 2 years	606	1,381	1,742	778	8,261	6,623	3,623	2,154	301	6,661	25,469
2 - 3 years	410	561	1,122	229	4,137	7,194	5,178	577	31	2,899	19,439
3 - 4 years	930	207	492	101	835	1,460	3,768	168	8	1,898	7,969
over 4 years	4,318	132	258	104	12,388	7,535	39,639	88	6	4,900	64,468
TOTAL	8,039	3,849	9,044	2,715	26,949	26,342	59,476	6,305	718	29,952	143,437

Source: UNHCR

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ELDERLY SOUTHEAST ASIAN REFUGEES: STILL STRANGERS IN A STRANGE LAND

She was in her fifties, although, as with many Hmong, her exact age was not certain. She had survived terrible conflicts in her own country and an arduous journey to the United States. Unskilled and unable to speak English, she spent her days at home, in one of Philadelphia's most run-down neighborhoods.

She dreaded going out, her family said. Car rides made her sick. She had no friends.

One day, her children came home from church to discover the doors to the house locked. When they finally broke in, they found her hanging from the bannister.

Even now, three years later, the Hmong community is still shocked.

Her case is an extreme and unusual one, but it does underscore reports from others working with Southeast Asian elderly, that many may be suffering. These professionals say that while there are few statistics and little research about elderly refugees from Southeast Asia, evidence suggests that many may be isolated, depressed, and lonely, feeling more acutely many of the same problems as the elderly in the general U.S. population.

In the years since World War II, conditions for the elderly in general have improved in the United States, according to Dan Schulder, senior public policy associate for the National Council on the Aging. He cited increased access to health insurance and medical care, the "fairly stable job picture," and a higher level of pension funding.

However, he noted some disturbing recent trends as well. Nearly 9 million elderly, about 7 million of them women, live alone. More than 12 percent of all elderly live below the federal poverty line, defined as income of $5,393 per year for individuals and $6,802 for couples. And it has become "very difficult for people in their fifties to get jobs," Schulder said. Those jobs that are available, often pay little, he added.

He also noted two problems of particular relevance to elderly Southeast Asians--intergenerational conflict and isolation. "Loneliness and lack of a role within the family remain a major problem for the elderly,"

IN THIS ISSUE:

Although rarely subject to the attention of researchers or of government program planners, elderly refugees often encounter distinct problems in adapting to life in the United States. This issue focuses particular attention on how elderly Southeast Asian and Soviet Jewish refugees are coping with their changed circumstances....................1

- Update................10
- Recent Developments

IRCA legalization begins; Group says new asylum standard applies to Cambodians in Thailand; Salvadoran deportations subject of debate, research; Efforts are under way to ease the effect of the suspended Cuba-U.S. immigration accord....11

- Reader Exchange......15
- Resources

Publications treating immigration are featured.......15

- Statistics

Summary of Refugee Admissions FY 87, as of 3/31/87.......16

Schulder said.

Elderly Southeast Asian Refugees Face Unique Obstacles

In addition to the problems they share with all elderly, refugees endure added burdens as well. Those who were professionals in their homelands often must take demeaning jobs in the United States. Those with unskilled backgrounds have little chance of getting any work.

Older Southeast Asian refugees stay home alone while their children go off to work and their grandchildren, to school.

And as their children and grandchildren learn to adjust to American culture, many leave behind the cultural values and traditions of the grandparents. So the elders, who would have been revered in Cambodia, Laos, or Vietnam, often feel rejected here.

According to those familiar with the field, there are few programs in the nation that deal with elderly refugees. Where such programs exist, they are usually privately supported. While some see little need for specially funded programs for elderly refugees, those providing services report large elderly participation. And they say much more can be done.

Elderly Refugees Are Small Percentage of Southeast Asian Arrivals

Of the 800,000 Southeast Asians who arrived in the United States between 1975 and 1986, less than 3 percent, roughly 23,000 people, were 65 years old or older, according to the Office of Refugee Resettlement (ORR). By contrast, around 27 million people, or 12 percent of the general population, are older than 65.

The percentage of elderly arrivals seems to be slightly less than their makeup in the population of their homelands. In a study of 1980 populations, the United Nations found more than 5 percent of Southeast Asians to be over 60--5.8 percent of the Vietnamese, 4.8 percent of Laotians, and 4.3 percent of Cambodians.

Southeast Asian societies have much younger populations than many other countries generating refugees who resettle in the United States. For example, the median age in 1980 for Poles was 30; for Romania, 31; and for the Soviet Union, 29; but for Cambodia, Laos, and Vietnam the median age was 20.

Though the percentage of elderly Southeast Asian refugees is small, their problems, experts say, may be enormous. And hardest hit are those from rural backgrounds, who arrived with little formal education and few job skills.

Lack of Language Ability Inhibits Assimilation

According to Jill Borg Spitzer, executive director of Jewish Family and Child Services in San Diego, the troubles for elderly refugees begin with lack of language ability.

"Elderly refugees suffer because they never use the language and language is never taught with the elderly in mind. Young people often don't have the patience or skills to work with the elderly." Not knowing the language leads to increased dependency on others and a loss of self-esteem, Spitzer said.

Generation Gap Leads to Depression Among Elderly

The elderly's sense of self-worth is also affected by what Louise Kamikawa, director of the National Pacific and Asian Resource Center on Aging in Seattle, calls "the disappearance of filial piety." She said, "the younger generation is assimilating very fast and this leads to the quick disintegration of the family unit. The push to move the young into the society," she adds, "moves them away from their culture."

Assimilation of the young can have a severe impact on the aging. "When the elderly see the Americanization of their grandchildren, they become very depressed," said Spitzer. "They believe they're losing their culture and their heritage."

Dr. Jane Lin-Fu, a consultant with the National Institute of Health's Division of Maternal and Child Health, describes the cultural paradox confronting many elderly refugees: "In the old country, it is to your advantage to be old. Here, it is to your advantage to be young."

As their children and grandchildren adapt to the youth-oriented culture, the elderly are left behind, according to Chi Do, executive director of the Indochinese Cultural Center in Houston. "The children are out at work. The grandchildren's life is an American life. The elderly can't go out, so they just stay inside every day, see the walls every day, and nothing else. They don't know how to solve their problems."

Some research suggests that it becomes harder for the elderly to cope as time

A Cambodian father and daughter helping each other learn English.
Photo Credit: Judy Canty

passes. According to a study of elderly Vietnamese women in Denver and Honolulu by Barbara Yee, a graduate student, and Peter Van Arsdale, coordinator of Colorado's mental health program for refugees, there is "a tendency for helplessness to increase over time." Van Arsdale describes this growing inability to cope as "learned helplessness" and says it results from people being in situations where they feel they have no control over their environment. "Our study suggests that adaptation is not a smooth process."

Further information on the elderly's ability to adapt may emerge from a study being undertaken by the Refugee Policy Group (RPG) in Washington, DC. The study, which could be released this summer, will be based on interviews with more than 150 elderly refugees and service providers in five U.S. cities, according to RPG staff. RPG hopes to identify problems and conditions common to general, immigrant, and refugee aged.

Programs Begin to Ease Isolation To help end feelings of isolation and encourage adaptation, a number of programs have recently begun operating. Few are funded by the federal government, according to Joanne Schneider, from Temple University. The reason, she said, is "there is an emphasis on employment. Most federal programs look at the young and neglect the experience of older refugees."

Jane Kretzmann, Minnesota coordinator of refugee programs, says that ORR has not had the money to put into programs for the elderly. ORR has mandated that 85 percent of social service funds be focussed on employment-related activities. The other 15 percent can be applied to support services such as orientation or counseling. Programs for elderly refugees "don't fit into the 85 percent funds and the 15 percent funds are strapped," said Kretzmann.

(continued on page 6)

A DEATH IN THE FAMILY

Recently, the American friend of a Cambodian refugee family sent us his impressions of the final months before the death of the family's oldest member. The story put in human terms the most intense of experiences. It also illustrates the shared trauma of so many elderly refugees and their children: finding ways to preserve precious cultural and religious practices and beliefs.

As the author wrote us, "I witnessed their coming to terms with the process of dying and of grief in a country not their own, amidst ways apart from theirs. I watched them bravely work within our system to preserve their own options and their father's wishes during a deeply emotional time. I wonder how many other refugee families have simply given in silently to the frustration." Below are excerpts. No real names are used.

For months now, Chhoeun and I have been talking about her father-in-law's failing condition, and what the appropriate thing to do at the final time would be. She and I had had the same conversations right after her mother died last year. The family wants more control than they had then; they want to relieve unnecessary physical and emotional suffering for their father.

Chhoeun called me in July to ask about the American legal constraints against dying at home. Knowing that there was little more that the doctor could offer to do, she wanted to be sure that if he died at home over the weekend without medical attention, the family would not be breaking some special American code against home-deaths.

We called the neighborhood funeral home primarily because they had dealt with the deaths of Cambodian refugees before, and we knew they were at least somewhat aware of and caring about the requirements of a Cambodian cremation. They assured us that there is nothing improper about dying at home in America, and outlined the procedure to follow after a death: call the attending physician to come and pronounce death; if he can't come, call 911 and tell the emergency people what has happened, and that arrangements have already been made with the funeral home. They added that after the cremation, they would be careful to set aside a few small bone fragments for the family to take to the Cambodian temple for the funeral.

The day before, the family had taken their father to the emergency room because he was in such excruciating pain. This was done at the attending physician's recommendations, they told me. He himself would not be there, nor would he prescribe any pain medicine over the phone. Chhoeun says she told the doctor she knew the emergency room rules don't allow them to do much without the okay of the attending physician in such a case, but the doctor encouraged them to try. After waiting in ER for two hours while the staff tried to reach the doctor, now in surgery across town, they gave up and went home. All the hospital could offer was Tylenol 3 and a mild codeine suppository.

I went to the house Saturday. Chhoeun's father-in-law was in great distress--heavy breathing, lots of pained, spasmodic movements. The room was cool, in spite of the more than 20 friends and family sitting around on the floor talking quietly, mostly about his condition, or waiting their turn to help massage his legs, chest, and arms. From time to time, someone would turn on a tape-recorded Buddhist prayer.

The family was deeply upset their father hadn't been given any medication for such obvious distress. We decided that I should call his attending physicians and explain the situation, in case there had been a communication problem. However, neither doctor returned my call that night.

A home care nurse from the hospital was due to make her scheduled call early Sunday morning. Again, we decided that they would call me when she came, so that I could talk with her if for any reason she did not seem to understand the way they were looking at the situation and what it was they were trying to assure for their father.

The nurse called Sunday morning, and to my great relief, I found her to be intuitive and conscientious. She told me she was shocked that this situation had been allowed to deteriorate, that she felt responsible and outraged, and that it was unthinkable that such a case should be allowed to "fall through the cracks in the system."

She also said she had worked with Cambodian families before, and had come to understand how important it was that they be able to be with their father, and that he be at home if possible. She said that as the homecare nurse responsible for the local refugee community, she wished she knew more so that she could better help other families. She talked about her regrets that she wasn't able to be as supportive of the first refugee families she worked with because communication had been very poor.

Chhoeun called me to say that her father-in-law was much calmer. The nurse had entered his name on the homecare hospice list so that he could die peacefully at home, without unnecessary and unwanted medical attention. She told us that while the funeral home had been correct that calling 911 was appropriate, she wanted the family to understand their other options. Working with the hospice, instead, would mean that no attempts would be made to resuscitate their father, if those were the family's wishes. The emergency medical team, on the other hand, would have to make that attempt.

Sunday night there were perhaps thirty people gathered at the house. As on Saturday night, the monks had come from the local Cambodian Buddhist temple and were preparing to do a long session of chanting the protective texts that ease the mind of the dying person. The room was full of candles, incense, one or two large religious pictures. All the furniture was gone, but for one standing lamp and the mattresses Chhoeun's father-in-law was lying on. Again, his daughters were taking turns massaging his legs and chest. But tonight he was lying very quietly. His mental faculties were good, and the whole family had been able to talk with him.

After a two-hour service, the monks were taken back to the temple. The older people stayed on and gathered around the mattress, massaging Chhoeun's father-in-law, chewing betel nut, drinking iced water, and singing very slow, deep, traditional songs. I left, promising to bring back two more large pictures of the Buddha--necessary so that the dying person's last visual image can be of something auspicious and religious that will help shape his next life.

When I returned on Tuesday, he was more quiet. The room was really crowded, with 35-40 people sitting almost silently on the floor. All the family was gathered as closely around their father as they could, alternately fanning him and massaging him. Each time he appeared to stop breathing, his son would hold his hands and repeat the name of the Buddha loudly in his ear. People kept arriving silently at the door, finding themselves a place on the floor, and taking up their place in the prayers. At 7:20, he died quietly. We all chanted more softly for about 20 minutes, then stopped. People fell back, exhausted, when the monks appeared outside the door. My friend held his father's hands while everyone moved around on the floor to adjust a space for the monks to sit and begin their service.

I went to the apartment across the hall, with Chhoeun. We called the hospice. No, they assured us, we didn't need to call the funeral home until the next morning when the family was ready. The nurse on duty and I discussed the similarity of the all-night prayer session this Cambodian family wanted and the Irish wake. She assured me that the family's feelings would be respected.

So, Chhoeun's father-in-law was able to die in the way of his people. After losing so much of what mattered to him, I thought how wonderful it was that his family was able to give him this last gift of continuity with the past.

Not everyone believes the government should play a role in funding elderly programs. "This is not a problem to throw money at," said one voluntary agency source. He said most elderly are cared for by family members, and many who have been in the United States for several years have formed active social programs funded out of their own pockets.

One ORR-funded program for the elderly is an employment training project for refugees 45 years and older in Richmond, Virginia. According to Kathy Cooper, project director, the program has 30 Vietnamese and Cambodian participants whose average age is fifty. The oldest is just under 60. The program provides English-as-a-second-language (ESL) and job skills training. "The goal is to place people in jobs above the minimum wage," Cooper said. Thus far, 20 have been placed.

"Each placement, so far, has been successful," Cooper said, "but we're just beginning to look at 90 day retention rates," ORR's measure of a successful placement.

Despite the progress, "the program has been hard to sell" to the refugees, Cooper said. "No one is lined up at the door."

One reason may be that Southeast Asians have a different view of when a person becomes elderly. "In Vietnam, the retirement age is 55," said Ngoan Le, executive director of the Vietnamese Association in Chicago. According to the Population Reference Bureau, life expectancy is much shorter in Southeast Asia: 43 years in Cambodia, 44 in Laos, and 59 in Vietnam. Life expectancy in the United States is 76 years.

Social Interaction Emphasized in MAA Programs Employment is not the goal of an innovative project in Philadelphia funded by the Florence V. Burden Foundation and the Ford Foundation. The project, called Learning English through Intergenerational Friendship, or LEIF, brings young college students together with elderly refugees for one-on-one English language tutoring. The program has "no vocational goal," according to Gail Weinstein-Shr, director. "We believe that life should not be confined to reading the want-ads."

Project LEIF is serving 125 Hmong and Cambodian refugees, aged 40 and older, in four centers. One learning center is located in a Cambodian Buddhist Temple. "It means so much for the elderly to form relationships with tutors," Weinstein-Shr said. She believes the elderly can overcome learning difficulties, and that "research seems to show that adults do have some advantages over the young because of their experience with learning."

Several new programs are designed to bring the elderly together to socialize with their peers. In Minneapolis, the federal government's Administration on Aging is funding a program which works through Vietnamese, Lao, Hmong, and Cambodian mutual assistance associations (MAAs).

The activities at four centers include weekly English classes, cooking, Asian movies, field trips to museums, the zoo and parks, gardening (most popular with the Hmong), and crafts, according to Khaen Sinakhone, community services program specialist for the project. The program also recruits elderly to visit other aged who are homebound.

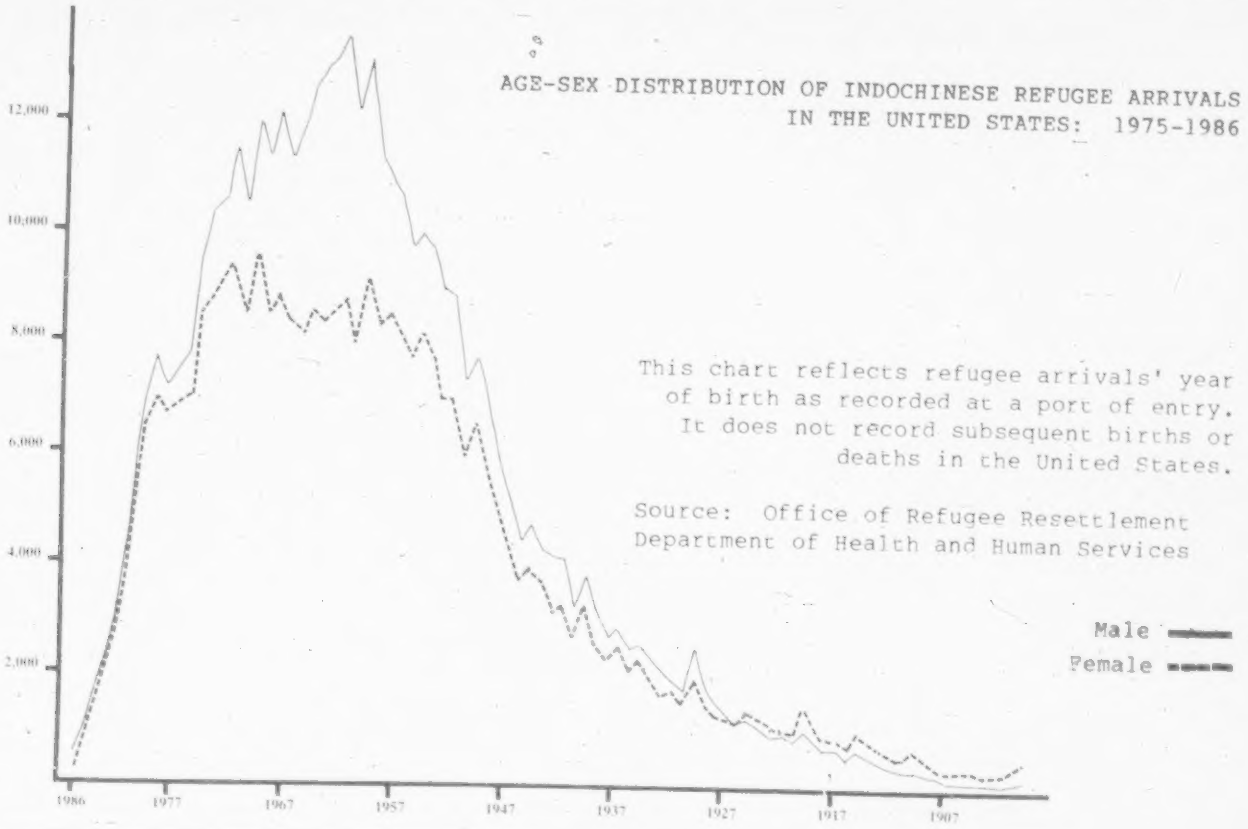
Sinakhone says the role of the temples has also been instrumental in improving the lives of the elderly. "Before, young people would not make a major decision without consulting them. But here, the grandparents couldn't drive or speak the language and became isolated. Many blamed their grandchildren. Since the establishment of the temples, around 1980, the elderly seem to enjoy more of their previous role. And they can go out to the temple to socialize."

Elderly Centers Thrive in Chicago, Houston, Santa Ana In Chicago, Ngoan Le directs a program of recreation and counseling services for Vietnamese elderly.

The program, which began in January, is funded by Borg-Warner and the Retirememt Research Foundation, and serves Vietnamese 55 and older, whose population in the metropolitan area Le estimates at 400.

The center features ESL and recreational activities, and houses a library. Word of the center is beginning to get around, but, Le says, "We have to move very slowly because most elderly aren't used to participating in these kinds of activities."

In Santa Ana, California, 50 elderly Southeast Asians and Hispanics come to a center run by the Vietnamese of Orange County, Inc. Mai Cong, president of the Board of Directors, says the center offers English classes, recreation programs (cards



AGE-SEX DISTRIBUTION OF INDOCHINESE REFUGEE ARRIVALS IN THE UNITED STATES: 1975-1986

This chart reflects refugee arrivals' year of birth as recorded at a port of entry. It does not record subsequent births or deaths in the United States.

Source: Office of Refugee Resettlement Department of Health and Human Services

and board games), and daily Vietnamese meals for those over 60 years old.

Mai Cong said, "the first participants looked fragile. But after being in the program for three months, they look happier and healthier." She said, "the Vietnamese felt strange at the regular senior center. They felt like they didn't fit in."

A similar program operates in Houston, funded by the city, said Chi Do. Forty to fifty elderly take part in a daily schedule of ESL, math, yoga, and handicrafts. They each receive a free hot lunch, also.

Many Elderly Are Homesick Length of stay in the United States does not diminish the elderly refugees' ties to their homelands, or their religious beliefs, those working with the elderly say. "They have a dream of returning home," Mai Cong says, "but it's only a dream."

"Things are getting better [in the United States]," Sinakhone says, "but they will never be like they were."

Some become so homesick, they actually try to return. One voluntary agency source said a number of Vietnamese have inquired about returning. Wendy Batson, co-director of the Indochina Project in Washington, D.C., said that elderly Lao have applied for visas to go home. She said the United Nations High Commissioner for Refugees (UNHCR) actually oversaw the repatriation of one aged women who still had family in Laos.

Most refugees will never return, and for them strengthening ties to their religious traditions becomes more important. "Many elderly illiterate want to learn their own language in order to read the scriptures before they die," Kretzmann said.

When death nears, it can be frightening--not because it is a great unknown--but because for many elderly refugees it means they will die far from their ancestors.

"All the elderly talk about having a cemetery plot for their own people," Le said. "They feel that since they can't die in their homeland, they should die with their countrymen."

. . . .

Mai Cong has a drawing. It was given to her by an elderly Vietnamese. "This is us," he said, as he handed it to her. It depicts a woman who has no mouth and no ears.

ELDERLY SOVIET JEWS COPE WITH AMERICAN LIFE

Elderly Jewish refugees from the Soviet Union show a high degree of homesickness and often feel that they are no longer as valued by their children, according to service providers. At the same time, they have shown remarkable resiliency and resourcefulness in creating among themselves a sense of community and mutual support. While by all accounts from the field they are being well provided for by American Jewish service agencies, they tend to be somewhat alienated from American Jews on a personal level.

Service providers consistently note the difficulty of generalizing about these elderly emigres--for every problem noted, a countervailing strength comes to mind. A 1982 report entitled "The San Francisco Emigre Senior Population" captures their uniqueness: "Extremely sensitive to real or imagined insults (ya ochin obizhen--I am very insulted--heard by workers daily), they can be excitable, emotional and easily show their ruffled feelings. Constantly searching for praise and respect, unsure of whom they can trust, fearful they may have been overlooked or neglected, persistent in their expressions of their wants, not understanding their new culture...this group places special demands on workers, who need much patience and sheer stamina to work with them.... Those of us who work with this population can rejoice in their energy, humanity, warmth and joie de vivre in the face of all their problems. At the same time we can become frustrated by their seeming extremes and contradictions in behavior: aggressiveness coupled with passivity, desire for independence coupled with extreme dependency needs."

The Major Challenge: To Feel Valued

"Most live well, have their own apartments and the material things, but have lost the feeling of being needed, of being valued by their children," said Yelena Klyotskin, a social worker with Jewish Family Services in Baltimore, Maryland.

Although Jewish families in the Soviet Union often have three generations sharing a single apartment, the older Soviet Jewish emigres tend to live separately, often in senior high rise apartment buildings. "We expect people to live separately here," said Gail Kramer, coordinator of immigrant resettlement services of Jewish Family Services of Baltimore. As a consequence, many reportedly feel alienated from their children, who don't visit enough, and isolated, because of reluctance to make use of public transportation due to fear and language barriers.

On the other hand, others report that many prefer to live separately, seeing it as one of the freedoms they could not enjoy in the Soviet Union. "Many now living with their families are looking for their own place," said Barbara Litt, senior emigre department director of the San Francisco Jewish Community Center (JCC).

While the strong family ties that existed in the Soviet Union seem to have eroded somewhat upon resettlement, many of the older refugees have become involved in social activities with each other. Most seem to benefit from a network of Jewish social service agencies. Service providers from various cities mentioned hot kosher meals programs, English classes, religious and cultural events, and recreational activities. English classes are popular, not only because study is seen as a traditional Jewish approach to understanding a new situation, but also because it provides an important social function.

Relations Sometimes Strained with American Jewish Community

While the organized Jewish community has been very receptive and supportive of Soviet Jewish refugees, the same has not always been the case on an individual, informal level. One of the most common expressions among older Jewish refugees is: "In Russia I was a Jew; in America, I am a Russian." Many feel that they were not accepted as Russians in the USSR and have not been accepted as Jews here.

"They come from a different socio-economic background from most American Jews," said Mark Hofkin of the Bustleton Medical Center in Philadelphia. "The agencies are helpful, but individuals have not been so helpful." He observed, "They mostly stick to themselves."

The degree to which the Soviet Jewish seniors have created a close-knit community of their own is especially evident in San Francisco, where they have formed the Association of Elderly Emigres Club for Yiddish Culture. They create and fund their own programs, plan lectures, parties, and trips. They have established an impressive library of Russian and Yiddish books, many of which are contemporary, banned works from the USSR.

"The seniors here have created a community for themselves," said Barbara Litt of the San Francisco JCC, which serves as the center of their activities. "This is like a home for them," she said. "They are here every day." Celebration of Jewish holidays is popular, as are Yiddish and Russian movies, lectures, and other cultural events.

Strong Bonds Develop with Grandchildren

Service providers report that elderly Soviet Jews frequently care for grandchildren, especially in after-school care while parents are still at work. Newborns, however, are also a great source of pride. "When the first grandchild is born here, it really helps them to establish roots," said Judy Schwartz, site director of the David G. Neuman Senior Center, affiliated with the JCC in Philadelphia. Schwartz said that many of the Jewish families in Philadelphia do still live together, and, when they don't, they usually make an effort to live close by.

Litt said that their children are frequently so busy working that they don't have time for community activities. As a consequence, the seniors play a particularly important role in bringing their grandchildren into Jewish communal activities, and creating a strong bond with the newest generation of Jewish immigrants. The renewed interest among the elderly in religious customs and practices that had been discouraged in the Soviet Union is attributed, at least in part, to a desire to encourage Jewish identity for their grandchildren, according to service providers.

Programs Work to Meet Elderly Needs A variety of programs are directed towards the elderly Soviet Jewish population. The Bustleton Medical Center, for example, specializes in serving Russian and other slavic-speaking refugees in Philadelphia. A social worker on the staff helps with the bureacracy and the wider service network. Many of the older Jewish refugees have six or seven different primary diagnoses, indicating that many lingering problems had been untreated or undertreated in the Soviet Union for years. "They have learned to live with their ailments, and tend to be fatalistic, objecting to aggressive treatment," said Hofkin. "We need to drag them by the heals to help."

In San Francisco, the L'Chaim Senior Center has a non-medical program for frail, elderly Russian-speaking emigres. Serving 170 people with an average age of 80, one goal of the program, according to its director, Linda Solomon, is to give a respite to family members in caring for them. The center features art classes, English lessons, and Russian and Yiddish cultural activities. "Outside, they don't always feel valued," said Solomon, "but here they are valued."

In New York City, the New York Association for New Americans (NYANA) has been working closely with older Soviet and East European refugees in job development. Under a one-year federal demonstration grant from the Office of Refugee Resettlement (which defines elderly refugees as 45 and older), NYANA was able to place about one-third of its caseload of more than 300 persons. Soviet emigres comprised 81 percent of the total. NYANA has recently begun a new grant through the New York State Department of Aging for a similar program for refugees age 55 and older. "We've dispelled the myth that older people don't want to work full-time," said Alice Adesman, coordinator of NYANA's older refugee program. She said that the refugees prefer on-the-job training rather than longer term training outside the workplace. Adesman also challenged the notion that refugees are reluctant to take jobs of a lower status than the more professional positions held in the Soviet Union. "They will take other jobs," she said, "but they are looking for a job in a good environment, such as a school or a library."

Adesman said that language is a major obstacle to acculturation, and that the refugees need a vocational tie to really learn the language. She also said that many of the older Soviet refugees who don't work have a self-perception of being older than they are. She said that some of the program counseling is directed toward getting people to feel good about themselves, to not think of themselves as old at 45 to 50 years old. "We have seen their lives change because of work," she said. "They are so happy working, the response has been terrific."

Update

° The Immigration and Naturalization Service has indicated that it is withdrawing a proposed rule that would have prohibited some individuals admissible to the United States as immigrants from entering as refugees. The proposed rule stated that "any refugee applicant for refugee status...who may be eligible for classification under [the immigrant preference system of the Immigration and Nationality Act], and for whom a visa number is now available or may become available within twelve months, shall not be admitted as a refugee unless the Attorney General has determined that it is in the public interest."

"There has been an enormous amount of misunderstanding as to the impact and intent of this rule," said Ralph Thomas, an INS deputy assistant commissioner for refugees, asylum, and parole.

° On May 1, Senators Edward M. Kennedy (D-Mass.) and Robert Dole (R-Kan.), along with five other senators, introduced a resolution calling for the release of political prisoners by the government of Vietnam. In a Senate speech, Kennedy said the resolution "calls upon Vietnam to do what it agreed to do when it negotiated and signed the orderly departure agreement with the United Nations High Commissioner for Refugees in 1979--to process and give exit visas to family reunification cases."

Terming the resolution "totally nonpolitical and totally nonpartisan," Dole noted that at least 6,000 political prisoners remain in jail after 12 years.

° A State Department official has indicated that 5,500 Hmong refugees will resettle in the United States in July, August, and September. Of these, about 2,400 will be resettled in California, 700 in Wisconsin, and 700 in Minnesota.

The city of Fresno, California will be the initial resettlement site of about 800 of this group of Hmong, according to Terry Rusch, acting director of placement for the State Department's Bureau for Refugee Programs (see Refugee Reports, Vol. VIII, No. 4). During the same three month period, she said, about 350 Hmong will resettle in Merced, about 300 in Sacramento, 150 in San Diego, 125 in Stockton, and 60 to 70 in Modesto. The remaining 600 or so will be scattered in smaller numbers throughout the state.

Rusch said she did not expect secondary migration to California to be sizeable for two reasons. The Hmong communities in Wisconsin and Minnesota are "quite stable," she said, adding that, "virtually 100 percent of the cases involve family reunification." These factors suggested that Hmong would have less motivation to leave their initial resettlement sites, according to Rusch.

° On April 17, 175 Cambodians were removed from Khao I Dang refugee camp in Thailand and relocated to Site B, an encampment on the Thai-Cambodian border, according to UN sources. This was the second movement of unregistered Khao I Dang residents back to the border. On March 1, Thai authorities had escorted 230 people back to Site B, a camp administered by Cambodians loyal to Prince Norodom Sihanouk.

° More than 50 Cubans have arrived in Florida by inner tube rafts so far in 1987, the highest number since the 1980 Mariel boatlift.

The Cuban government has recently reduced prison sentences for those caught attempting to leave, from two years to six months, according to an interview with Cuban refugees in the Krome Avenue Detention Center, published by the April 15 Miami Herald.

The refugees also reported price hikes and a growing scarcity of goods in Cuba.

As far as formal refugee processing goes, Cuba has been releasing long-term political prisoners to the United States at a rate of two per week in recent months, in an apparent effort to avoid the level of publicity achieved last year when larger numbers of former prisoners arrived in the United States at one time. A total of 47 Cubans have been processed into the United States as refugees in the first six months of FY 87.

° On April 5, a national referendum in Switzerland overwhelmingly approved a government-proposed law that would make it more difficult to receive political asylum in the country.

The new measures, which are scheduled to go into effect in October, permit the government to limit indefinitely the number of refugees admitted into the country if there is a sudden increase in arrivals. The law also sanctions the detention of rejected asylum applicants and requires the registration of asylum seekers at specific border crossings.

- On May 5, the Senate Labor and Human Resources Committee reported a bill to the full Senate that would permit up to 25 percent of bilingual education funds to be spent on alternative methods of instruction, such as English-as-a-Second-Language and immersion (see Refugee Reports, Vol. VII, No. 1). The current cap is 4 percent. The measure, introduced in the Senate on March 26 by Senators Claiborne Pell (D-R.I.) and Dan Quayle (R-Ind.), would also require students to leave bilingual programs after three years. Funding preference would be given for alternative instructional methods to small school districts, and to those where many languages are spoken.

Recent Developments

INS LEGALIZATION PROGRAM OPENS TO MIXED REVIEWS

A nationwide effort that may provide legal resident status for up to 4 million undocumented aliens began May 5, amid cautious optimism as well as concern that many of the agencies and organizations involved are not fully prepared for such a massive undertaking.

The target of much of the criticism is the Immigration and Naturalization Service (INS), the lead federal agency in the legalization program. Critics in Congress and in the private, voluntary sector charge that INS has not provided adequate funding or support for successful implementation of the program.

In a recent hearing of the House Budget Committee, Rep. Charles E. Schumer (D-N.Y.) said the administration was "choking the law" through insufficient funding. Rep. Martin Frost (D-Tex.) said, "I am deeply concerned that the INS, despite its heroic efforts to begin implementing this law...is in fact ill-prepared, and that the potential for chaos is real."

In testimony on May 7 before the Senate Committee on Appropriations, INS Commissioner Alan Nelson defended the agency's work, saying, "We think the program is working amazingly well given the period of time we have had to prepare. Staff are in place and the fees we are charging are fair."

The legalization program, as authorized in the new immigration law enacted last November, will enable aliens to achieve legal status if they can prove that they "resided continuously" in the United States with illegal status since January 1, 1982.

Counseling and Legalization Offices Open

On May 5, the Immigration and Naturalization Service (INS) opened 107 legalization offices around the country with 2,000 staff to process applications. The program, which runs through May 4, 1988, is expected to generate anywhere from 2 to 3.9 million applications for temporary resident status. INS officials have said they expect to approve about 85 percent of the applications they accept as complete and "non-frivolous."

INS has also selected about 300 organizations with close to 600 offices throughout the country to counsel applicants and assist them in completing their application forms. These groups, known as "qualified designated entities" (QDEs), will receive $15 from INS for each completed application that is accepted for further processing by an INS legalization office.

QDEs that are coordinating programs at the national level through a network of local affiliates will receive an additional reimbursement of $1 per application for administrative costs. There are 12 of these national coordinating agencies: the U.S. Catholic Conference/Migration and Refugee Services (USCC/MRS); the American Council for Nationalities Service; Lutheran Immigration and Refugee Service; the Presiding Bishop's Fund, an arm of the Episcopal Church; the Martin Luther King, Jr. Farm Workers' Fund; the International Ladies Garment Workers' Union; the American Farm Worker Opportunities Program; SER-Jobs for Progress; the Congress for Racial Equality; Metropolitan Analysis and Retrieval Systems, Inc.; the Indochina Resource Action Center;

and World Relief.

INS Criticized for High Fees In budget requests for implementing the immigration law, INS asked for no funding for the legalization program, indicating that the estimated $125 million cost of the program would be recovered in application fees. Mandatory INS charges include a $185 application fee for each adult, $50 for each child under 18, with a maximum of $420 per family.

"It is inappropriate to place the entire financial burden of this program squarely on the backs of the eligible population," said Gilbert Carrasco, director of immigration services for USCC/MRS, in testimony before the House Budget Committee. He described the "zero funding" of legalization as "the most telling imbalance in the budget proposals." Carrasco recommended that congressional appropriations earmark money to fund the program adequately.

INS Publishes Final Program Rules On May 1, INS published its final rules for implementing the legalization program.

In one amendment of previously proposed rules, the final INS regulations state that continuous residence will be considered broken by a single absence from the country of 45 days or more, or by aggregate absences of 180 days or more. Further, INS will allow for "brief, casual, and innocent" absences of no more than 30 days outside the country between November 6, 1986 and May 1, 1987.

Earlier drafts of the rules would have excluded anyone who had left the country after November 6, and prohibited single absences of 30 days or more and aggregate absences of 150 days or more. The proposed rules had also prohibited any absences from the country after November 6.

The final regulations "are substantially better in a number of respects," said Charles Kamasaki, director of policy analysis for the National Council of La Raza. He cited the new allowance for absences after November 6, and a rule allowing INS examiners to waive provisions relating to the likelihood that an alien might become a public charge. In order to be admissible as an immigrant, an alien must be able to demonstrate a capacity to maintain an income without recourse to public assistance.

"These changes are welcome and will make a difference," said Kamasaki.

Carrasco told Refugee Reports that he was "disappointed" with the final INS regulations. He was "very concerned" about the INS requirement that applicants can only be given a medical examination by a "designated civil surgeon." Carrasco called this "an entirely unnecessary additional bureaucratic burden."

INS Attitude is "Key" "The key issue is: What is INS's attitude about legalization?" said Kamasaki. He noted that there were many people in INS who were "working very hard to see this succeed," but added, "We also know that INS is a very decentralized agency with an overall enforcement bias. The jury is still out. Our job as QDEs is to work with INS to legalize as many people as we possibly can within the time we have."

GROUP CALLS FOR REVIEW OF REJECTED CAMBODIANS, CITING SUPREME COURT DECISION

An American advocacy group based in Bangkok, Thailand, has submitted a petition to the Immigration and Naturalization Service (INS) requesting that INS review the cases of 5,000 to 12,000 Cambodians in Khao I Dang refugee camp who were previously rejected for U.S. admission. The Cambodian Crisis Committee cited a recent Supreme Court decision that established a more liberal standard for asylum cases in the United States, saying in the petition that "a new standard allows a fresh start."

On March 9, the Supreme Court ruled that the government had applied an overly restrictive interpretation of the phrase "well-founded fear of persecution" in denying asylum to a Nicaraguan woman, Luz Marina Cardoza-Fonseca. INS lawyers had argued that the standard for establishing "well-founded fear," a phrase that is central to the definition of a refugee as found in the Refugee Act of 1980, was equivalent to the standard for establishing a "clear probability" of persecution, (see Refugee Reports, Vol. VII, No. 3).

At Cardoza-Fonseca's deportation hearing, the immigration judge had rejected her case because she could not establish a "clear probability" of persecution. In the case, the judge applied a standard of proof requiring her to show that she would "more likely than not" be subject to persecution if returned to her home country.

The Supreme Court ruled 6-3 that the "'clear probability' standard does not govern asylum applications." The decision stated that the reference to "fear" in the "well-founded fear" standard "makes the asylum eligibility determination turn to some extent on the alien's subjective mental state, and the fact that the fear must be 'well-founded' does not transform the standard into a 'more likely than not' one."

"Cardoza-Fonseca teaches that a case decided under a misapprehension of the standard has to be reconsidered," the Crisis Committee petition argues, and suggests that the Supreme Court decision applies to all cases "which were or may have been rejected in whole or in part under the 'well-founded fear' standard."

Decision Means More May Be Eligible for Admission Of the 12,200 Cambodians in Khao I Dang who have been rejected for admission to the United States, about 4,800 were rejected "exclusively" for their failure to meet the refugee definition, and many more were rejected "in part" because they could not establish a well-founded fear of persecution, according to the Cambodian Crisis Committee.

Attorney James E. Mitchell, counsel to the group, submitted the petition for a new hearing on behalf of Tang Song Chia, a rejected refugee in Khao I Dang, "and all persons similarly situated."

"I think there is a basis for this petition," said Arthur Helton of the Lawyers Committee for Human Rights. "The same liberal standard should apply in both refugee and asylum interviewing," he told Refugee Reports. "I'm not sure that Cardoza-Fonseca requires INS to go back in every case," Helton said, "but the authorities must review in cases where a redetermination is requested."

Ralph Thomas, an INS deputy assistant commissioner for refugees, asylum, and parole, told Refugee Reports that he has seen the petition and agreed that "the standard of evidence is a common one for refugee and asylum cases." But in reference to the rejected Cambodians, Thomas said, "There are not that many marginal cases in which Cardoza-Fonseca would make a difference."

"Where there is a basis for a motion to reopen or reconsider a case, we can do it on an individualized basis," Thomas said, adding, "I don't think there is any way of reading the Supreme Court decision that they expected us to open a large number of cases."

In a March 25 cable to worldwide diplomatic and consular posts, Secretary of State George Shultz said, "It is too early to know precisely what effect the decision will have on grants of asylum and refugee admissions. Clearly, the use of a lower standard than was followed in the past will result in more people being eligible for asylum or refugee admission than previously."

Khao I Dang has been officially closed since December 31, 1986. Thai authorities have indicated that camp residents will be moved gradually to border camps. At least 400 unregistered Cambodians have been moved to Site B, an encampment on the Thai-Cambodian border.

DUARTE REQUEST STIRS U.S. DEBATE ON SALVADORAN DEPORTATIONS

A request by Salvadoran President Jose Napoleon Duarte asking the United States to defer deporting undocumented Salvadorans affected by the new immigration law has touched off a debate in the administration, Congress, and the press.

Duarte's appeal essentially argued that the return of large numbers of Salvadorans would cause severe economic hardship to the country (see Refugee Reports, Vol. VIII, No. 4).

National press reports in late April cited a letter from a "senior State Department official" to Attorney General Edwin Meese, asking that he honor Duarte's request by granting "extended voluntary departure" (EVD) to Salvadoran nationals in the United States. EVD prevents the deportation of particular nationalities for set periods of time, and is currently in effect for Afghan, Polish, and Ethiopian nationals.

Following reports of the letter, articles appeared in major newspapers about a split between the departments of State and Justice on the issue.

However, on May 11, a press spokesman for the State Department told Refugee Reports that press reports about such a letter were "in error" and that the State

Department is still studying President Duarte's request. In any event, said the State Department spokesman, "the decision is up to the Department of Justice."

An April 30 New York Times editorial blasted the Duarte request. "To grant the Salvadorans temporary refuge on the basis of Mr. Duarte's economic appeal," the editorial said, "would twist the idea of refugee into subsidy."

Responding in a May 12 letter-to-the-editor, Duarte wrote, "The economic implications you dismiss as unworthy of consideration are far more real, more immediate and more important to the liberty, security, and happiness of Salvadorans than the dubious claims of political persecution by a handful of asylum seekers."

GAO Reports on Conditions for Returned Salvadorans On May 13, the House rules subcommittee held hearings on the Moakley/DeConcini bill (H.R. 618 in the House; S. 332 in the Senate) that would provide a temporary stay of deportation for Salvadorans and Nicaraguans pending the outcome of a Government Accounting Office (GAO) study on conditions of displaced people there.

The hearing focused attention on the final report from the GAO, Illegal Aliens: Extent of Problems Experienced by Returned Salvadorans Not Determinable. The report commented on an earlier study by the Intergovernmental Committee for Migration (ICM) to the effect that returned Salvadorans had not been persecuted.

The GAO found, "While the [ICM] reports do not specifically state that individuals have experienced political persecution, they do state that some returnees have experienced personal security problems." The report notes that 70 personal security problems had been reported as of February 1987, and that ICM was seeking to assist some returnees to emigrate to other countries with humanitarian resettlement programs.

The GAO report cited one case in which a returnee reported to ICM that men were trying to kill him. ICM reportedly sent him an application for Canada's resettlement program and tried to locate him to ensure that he returned the application. He then again reported to ICM that his situation was worsening. Nine days later he was killed. The Salvadoran police report indicates that the men who shot him came into a bar looking for him. Other testimony said he was shot during a fight over a soccer match.

The GAO reported that "the reliability of statistics developed by ICM, human rights organizations, and the U.S. Embassy in San Salvador is limited, and thus the frequency or extent of political violence experienced by returnees cannot be determined."

EFFORTS SOUGHT TO BREAK CUBAN LOGJAM

Observers of Cuban-American relations see a deep chill and little chance for thaw. A senior Cuban Foreign Ministry official responsible for U.S. relations recently said, "Our relations have dipped lower than we thought could be the lowest point."

In the face of such poor prospects, several initiatives are underway to create movement on issues arising from the suspension of the U.S.-Cuban immigration agreement in May 1985, following the start of Radio Marti broadcasts by the United States.

Under the agreement, signed in December 1984, Cuba had promised to take back 2,746 Cubans from the Mariel boatlift deemed excludable from the United States due to mental illness or past serious criminal offenses. The United States agreed to process up to 3,000 former political prisoners annually as refugees and to normalize immigration by issuing up to 20,000 immigrant visas per year, as is normal practice with other countries.

A bill introduced by Sens. Frank R. Lautenberg (D-N.J.), Charles E. Grassley (R-Iowa), and Lawton Chiles (D-Fla.) on April 22 would resume the U.S. part of the agreement. The bill, S. 1075, would reinstitute normal immigration from Cuba and third countries without regard to the disposition of the excludable Mariel Cubans.

Under current U.S. policy, the only exception to the suspended immigration agreement is for former political prisoners who had been imprisoned for ten years or more (see Refugee Reports, Vol. VII, No. 10). The Lautenberg bill calls for processing as refugees any Cubans imprisoned for political reasons without regard for the duration of imprisonment.

In introducing the bill, Lautenberg said, "It is unfair and unwarranted to punish Castro's own victims for Castro's behavior towards the United States. It penalizes people who have already suffered at Castro's hands, in his jails, for their opposition to his regime. Why does it punish them? Because they had the misfortune, if one can call it that, only to be jailed for 10 years, not more."

On the House side, a move spearheaded by Rep. Bill Richardson (D-N.M.) is under way to introduce an amendment to the State Department authorization bill when it reaches the House floor that would normalize immigration for Cuban nationals and restore the processing of Cuban political prisoners under the refugee program.

ACLU Files Petition on Behalf of Mariel Detainees A sense of frustration continues about the fate of the excludable Mariel Cubans now in the United States as well. The American Civil Liberties Union (ACLU) filed a petition on April 17 with the Organization of American States (OAS) challenging what amounts to indefinite detention of these aliens.

Some 3,300 Mariel Cubans are currently estimated to be incarcerated in various U.S. detention facilities. About 300 have been detained continuously for seven years now; the others have been imprisoned after committing crimes here. Many have served sentences, sometimes for relatively petty crimes, but have been detained by the Immigration and Naturalization pending eventual return to Cuba.

"There is no more tragic circumstance in the immigration context," Wade Henderson, legislative counsel for the ACLU, told Refugee Reports. "It is analogous to the Dred Scott case of the 1850s, when black people were deemed not to be persons in the meaning of the Constitution."

Having exhausted legal remedies within U.S. law when the Supreme Court declined to hear an appeal of their case last October, the ACLU is now turning to the OAS in the hope that its Inter-American Commission will find the United States in violation of international human rights agreements.

Reader Exchange

- The American Civil Liberties Union (ACLU) and the Mexican American Legal Defense Fund (MALDEF) are distributing a questionnaire for collecting information about employment discrimination based on national origin or citizenship status. The collection of data will permit the nationwide documentation of discrimination resulting from employer sanctions that might arise from the Immigration Reform and Control Act of 1986. The data will be used to generate information for the first GAO discrimination report due in November 1987, which will inform Congress about whether employer sanctions have resulted in "a pattern of discrimination against eligible workers."

To receive a copy of the questionnaire, contact the ACLU Immigration Task Force at 132 W. 43rd St., New York, NY 10036 (212) 944-9800, or the MALDEF Immigrants Rights Program at 634 South Spring St., Los Angeles, CA 90014. (213) 629-2512.

Resources

BIBLIOGRAPHY GATHERS IMMIGRATION WORKS

A new bibliography collects the extensive literature relating to American immigration. The New American Immigration: Evolving Patterns of Legal and Illegal Immigration: A Bibliography of Selected References comprehensively documents the books, articles, journals, reviews, dissertations, and congressional and governmental publications on the subject.

The 448-page clothbound volume, published in April 1987 by the Garland Publishing Company, 136 Madison Ave., New York, NY 10016, is available for $54.

IMMIGRATION REFORM AND CONTROL ACT EXPLAINED

A new publication analyzes and explains the new Immigration Reform and Control Act. Understanding the 1986 Immigration Law, by the editors of the immigration law weekly, Interpreter Releases, provides a practical analysis of the law and its application.

The book is available for $30, plus $3.50 for handling, from Interpreter Releases/Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

U.S. DEPARTMENT OF STATE
BUREAU FOR REFUGEE PROGRAMS
Summary of Refugee Admissions, First Half of FY 87

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS OF 3/31/87	FY 87 CEILING
AFRICA		
Angola	30	
Ethiopia	517	
Lesotho	4	
Malawi	2	
Rwanda	1	
South Africa	39	
Uganda	8	
Zaire	3	
Zambia	3	
TOTAL AFRICA	607	(3,500)
SOUTHEAST ASIA		
Cambodia	616	
Laos	4,171	
Highland (2,193)		
Lowland (1,978)		
Vietnam	6,680	
Land and Boat (6,674)		
Other (6)		
EAST ASIA FIRST ASYLUM	11,467	(32,000)
ORDERLY DEPARTURE PROGRAM	2,416	(8,500)
TOTAL EAST ASIA	13,883	(40,000)

COUNTRY OF CHARGEABILITY	FY 87 ADMISSIONS AS OF 3/31/87	FY 87 CEILING
EASTERN EUROPE		
Albania	28	
Bulgaria	60	
Czechoslovakia	613	
Hungary	306	
Poland	1,872	
Romania	1,263	
Soviet Union	538	
Yugoslavia	2	
TOTAL EASTERN EUROPE	4,682	(10,000)
LATIN AMERICA		
Cuba	47	
TOTAL LATIN AMERICA	47	(4,000)
NEAR EAST ASIA		
Afghanistan	1,750	
Iran	3,230	
Iraq	57	
TOTAL NEAR EAST ASIA	5,037	(8,000)
SUBTOTAL		(66,000)
UNALLOCATED RESERVE*		(4,000)
GRAND TOTAL	24,256	(70,000)

*The FY 87 admissions ceiling includes an unallocated reserve of 4,000 for "contingent refugee admission needs," to be used only after consultation with Congress, and only to the extent that private sector funding is available to support admissions using the reserve.

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Volume VIII, Number 6 June 12, 1987

INTERVIEW WITH JONATHAN MOORE, U.S. COORDINATOR FOR REFUGEES

Recently, Refugee Reports talked with Jonathan Moore, U.S. Coordinator for Refugees and Director of the State Department's Bureau for Refugee Programs. Moore discussed his job, his recent trip to Africa, events in Thailand, and voluntary repatriation, among other things. Below are excerpts from that discussion.

What are your observations on the job of the U.S. Coordinator, having held that post for the past eight months?

This job is not to be a micro-manager of everybody else's business.... It's the broad picture, the integrated whole, that I'm interested in. If an issue is sufficiently urgent or impacted, I'm going to get into it. But otherwise I try to encourage other people to do their jobs well enough, rather than to intervene.

The job can be extremely misleading. It has vast responsibilities spelled out in the Refugee Act of 1980, but it has virtually no authority. Therefore, there are inflated expectations that the Coordinator is some sort of magician, which are absolutely misplaced, and breed frustration and dashed hopes.

Most of the refugee problems we deal with are external and out of our control. Most of them are impacted and deteriorating. The general picture is not bleak because the whole experience of working with refugees is one of hope. But the situation is very bad and it isn't getting any better. Both qualitatively and quantitatively, refugee problems are becoming more intense.

Within this deteriorating context, what are your goals?

Hold on. Don't quit. Keep scrapping. The job is a question of political management. You try to get the system to work better generally. You work the margins as tenaciously and resourcefully as you can.

I want to bring people who are involved directly and those in support capacities--who supply money, resources, and are politically involved, rather than

IN THIS ISSUE:

Ambassador Jonathan Moore, the new U.S. Coordinator for Refugee Affairs, and more recently Director of the State Department's Bureau for Refugee Programs, took office in September. In an interview with Refugee Reports staff, Moore talks about his job, his goals, UNHCR and voluntary repatriation, and refugee policy in Africa, Latin America, and Southeast Asia..............1

- Update.................6
- Recent Developments

ORR allocates FY 87 social service funds; Ambassador Moore visits Minnesota; Canada issues new asylum guidelines; Emigration of Soviet Jews is on the rise; Congress holds hearings on stay of deportation for Central Americans...........7

- Resources

Amnesty International reports on Cambodia and Iran.......15

- Statistics

State 3-Year Refugee/Entrant Populations, Social Service Allocations for FY 87......16

the experts--to a greater understanding of the complexity of the whole. I want to get people to be more capable of dealing with the truth: not to pretend that, "the refugee problem that I'm working on is the only one"; not to pretend that there are solutions that don't exist; not to pretend that refugees who are involved in insurgencies are only refugees or only insurgents, when most of them are probably going to be both.

Work to keep up resources, both domestic and international. That's a very discrete, focussed goal. As resources are declining, keep them declining at a lower rate.

Foreign policy is made in a lot of ways and in a lot of places, and it involves the competition of reconciling many different--and presumably legitimate--interests. Refugee issues need to play a greater role in that dynamic.

...Keep working on assistance in place. It isn't adequate, and it can be very short sighted, but it may be, in a given situation, the best thing you can do to help refugees. And the part of assistance that needs the most persistent attention is protection, which is the toughest. It's all inadequate--medical assistance, education, food, shelter; so when you are dealing at that level, everything is important. But protection is tougher, and needs even more attention.

Work on the long-term solutions. And that clearly means--among other things--voluntary repatriation.... Repatriation isn't only something that UNHCR does. It can only happen if we can get conditions to change. The basic strategy to push more aggressively worldwide on this is very, very good. But in individual instances, you've got to be very careful that you're not actually putting people back in situations which are just about the same as when they left. And you may end up in a situation which--although you're not seeing it that way--could, in reality, be involuntary repatriation.

What are some of the issues you looked into during your recent trip to Africa?

In Sudan, I looked into the problem of getting exit visas for a large number of Ethiopian refugees who had already been processed to come out, well over a thousand. We were able to reach an agreement with the Sudanese government on the exit visas....

Is it your understanding that Khartoum will once again be a processing post as in the past? Are you looking at any other processing locales?

We have a new policy whereby we can process Africans from a number of places, including the European posts. But I would expect Sudan processing to continue--principally for Ethiopians.

Protection is the other problem in the Sudan--the fact that the refugees need more help than they're getting, period. The other is the question of the urban refugees, particularly in Khartoum. The government's tendency is to have them moved to rural areas, and I don't want to say that they are being experimented with, but the government seems ambivalent as to how they are going to treat this very difficult problem. Urban areas are where the conflict with the local population is the greatest. How do they deal with it in terms of security, of protection, of moving primarily urban refugees out to rural areas? UNHCR and we have been working on this with the government of Sudan, in terms of being careful about moving them about and being careful of abusing their rights. There has been a recent deterioration in this respect regarding urban refugees. (see Update)

What are your impressions of refugee protection in Southern Africa?

The most important thing that I encountered in terms of refugee protection was the change in the government of Malawi--its perception of the refugee problem and its policy for dealing with it. Mozambicans in Malawi--their numbers are increasing--are now being treated as refugees, even though they are called displaced persons, and help has been asked for, and it has been allowed to come into the country and to operate--largely, but not exclusively, in the form of the UNHCR. When you are thinking about the awful mix of insurgency and refugees, and the magnitude of this situation, progress becomes a very relative term, but it is there.

One of the specific questions we were working on was that of repatriating Mozambican refugees back to that country, particularly--but not exclusively--from Malawi.

There could be big security problems. Some of them would be going back to their own homes. The majority would not be. This is a plan, you understand. None of it is inviolate....

But given the whole scope of the problem, tremendous attention has been paid to that repatriation plan, perhaps to the exclusion of other solutions.

The plan does involve an interesting mix--internally dislocated peoples, external refugee-returned peoples, development, infrastructure. These are very interesting, challenging, important considerations. I don't want to overlook that. But my feeling was--without being a know-it-all, or to act as if the U.S. were in charge of things--even though repatriation programs are a very good general strategy and should be pursued aggressively, watch out case-by-case because it can be wrong, and you can actually lose ground.

In this case, for the first time, the Mozambican refugees in Malawi are being attended to. Not adequately enough, yet, but something really important is happening there. There is more cooperation among international groups, more international presence, more money coming in--including significantly more money from us.... At the same time, the conditions in Mozambique do not appear that wholesome in terms of the security situation becoming stable so that they can return to their own homes instead of someplace else. What do you have in the area that has been designated for the returnees? What have you got there in terms of infrastructure which can sustain that kind of a community? Big, unanswered questions. Hence, let's go slowly here; let's not do this prematurely either for overweaning bureaucratic or political reasons, or whatever reasons. Let's be sensible, let's be patient, and constrained.

Do you see any sense in which there is an artificial preoccupation in UNHCR with voluntary repatriation to the detriment of other options?

I don't think it's artificial. But that's the only thing I'd quibble with. It could be the result of trying to press a very good strategy in specific instances which weren't ready to accommodate it. And it could be detrimental. That's exactly what we're talking about.

But you said that in specific cases, it may not apply. Do you see a trend on the part of UNHCR to push for repatriation more vigorously now than they were?

Sure. I think they should be. You have to test where the threshold is. Now and then you're going to go over it. The question is, are you flexible enough to recognize that and then move back in a given instance? UNHCR wasn't pressing the repatriation strategy adequately in my view previously.

One way to get at root causes and get those basic conditions to change is by pushing repatriation. That won't do it by itself. Sometimes it can be pushed in a very counterproductive and dangerous way in a given instance. But you've got to push more and you're going to cross the line in a few cases if you are using a more aggressive strategy, and I think you should be. But how flexible, and how sensible, and how much are you willing to back off that line if it doesn't work?

Do you have any thoughts on what seems to be the problem with U.S. refugee processing from Latin America?

I assume you are referring to the 1,000 additional numbers added to the Latin America ceiling this year. There were no numbers before, outside of the ceiling for Cubans.

When you haven't been doing something, it takes longer to figure out how to do it and to put it together and make it happen than you think it's going to. Instead of being at the end of that process, we're in the middle of it.

We're well along in the fiscal year, but we've been working on it since early October when the Presidential Determination was made. We couldn't work on it before that. Despite difficulties, we're making progress and we're probably doing a lot more than you are aware of. I'm not claiming that it has borne fruit yet.

Have there been any INS circuit riders in the region, and have any interviews taken place?

I know that there have been INS people who have gone out, but I can't comment as to how many specific interviews have taken place.

Have any State Department posts identified refugees of special humanitarian concern?

We have indicated potential refugees, because we can't identify them finally --that is the responsibility of the INS.

Can you give us a sense of what groups are being considered?

No. Let me mention another point. They are hard to find. You have to consider two things very broadly. One is, who has a good chance, a real chance to be determined to be eligible, given a well-founded fear of persecution and the way that we go about determining special humanitarian interest to the U.S.? Also, who wants to be resettled in a third country and does not want to stay in Central America, or in a Latin American country? Try to put those two groups together. It is very difficult to find them.

We are looking hard, and we are consulting hard with UNHCR, our own embassy people, and voluntary agencies. We're taking it very seriously. But we do not want to create a magnet or falsely raise unfair expectations.

If we could shift to Southeast Asia. You were a member of the Ray panel. In your capacity now, how would you assess the response within the U.S. government to the recommendations that the panel made. Then, how has the situation in Southeast Asia changed, and would you perhaps revise, amend, delete, certain recommendations you have made?

I think the response to the Ray panel recommendations was very positive...and the vast majority have been pursued.

There are at least two areas which have not been adopted or fully carried out, respectively. The first recommends that the denied Khmer should be further reviewed. The Ray panel didn't say how. It didn't say all should be reviewed. It just said, "You shouldn't just leave it where it has been left. Something more in the way of a review should happen." That has not been adopted, and not carried out. And that is up to me to make recommendations on. When I came into this job, I found that both the State Department and INS had, in public testimony, stated opposition to that proposal. At the same time, this would be one of the responsibilities I would have as U.S. Coordinator, to make further recommendations--kind of an interesting situation.

I have not made recommendations on this yet, and my not doing so is very deliberate, because it isn't ready, and it is a very complex and difficult problem in a whole number of respects, which I will not enumerate. If it's going to be done, it has to be done with a very strong chance of it being something constructive.

The other area not completed is the notion of a shift in emphasis from the refugee system to the immigration system in Southeast Asia. The Ray panel talked about a two-track system. Well, we already have a dual system. So the question was, do you shift the proportions, keeping the dual system of refugees and immigration? I think a good case can be made that that transition and shift of emphasis has not been fully designed, worked out. And we're still working on it.

It is also true--getting back to the question of external factors you can't control--that some shifting or transition happens without anybody making a deliberate policy to do it. Resources go down and numbers go down.... If you have fewer refugee numbers, you are going to give greater emphasis to immigrant numbers.... If you can't use refugee processing in the border Khmer camps, you use immigrant processing. A lot goes on regarding the mix between the two which isn't a matter of designing the best way to administer the Ray commission recommendations. But we've still got to do more hard work here and we owe it to everybody--

the refugees, the INS, the Congress.

Is there a sense of urgency about the question of the ration-card holders at Khao I Dang being moved back to the border? Is there any likelihood of a change in U.S.--or international--attitudes toward that group to do more comprehensive processing?

Yes, there is a sense of urgency. I'm not excluding any of the populations in Khao I Dang from the sense of urgency, but you asked about the ration-card holders. There is some chance of what you're saying happening, but I wouldn't take it beyond that now. I don't know about the international situation. I'm talking about the U.S. (see Update)

There has been considerable press attention on the recent Hmong pushbacks, particularly the March 15 incident where 100 or more were removed from Ban Vinai, 38 of whom were transported across the river. There has been documentation of some Thai forceful repatriation of Hmong. How would you characterized U.S.-Thai relations on this issue, and what are the prospects of working with the Thais...to encourage them to abandon this kind of practice?

Testy relations right now. But I have a lot of confidence in the bilateral relationship of Thailand and the United States--particularly with regard to the refugee program--over the long-run....

The key here is to emphasize to ourselves--as part of our own national policy and commitment--that in an ongoing relationship, in the future, as long as it takes, we will be working with the Thais, supporting the Thais in a number of respects, not just in resettlement, on the refugee problem. And the best evidence of this is our record with them so far, including this year, with off-take figures and with Hmong resettlement, if you want to talk about Hmong because these are the people with special problems.

The important thing in the relationship between the Thai and the U.S. is to recognize that there is no quick fix to these problems; that they are going to go on; that these refugee problems that Thailand is dealing with are very difficult and they have been struggling with them for a long time.

There is no abandonment here by the U.S. That's what we've got to convince the Thais of. Yet sometimes specific, discrete, quantitative commitments of one type or another are not realistic and can not be really helpful when they come into conflict with worldwide refugee needs and with U.S. refugee law and processing. One thing that we've got to recognize--and let the Thais know--is that the U.S. can't make the Thais sustain their policy of first asylum. Only the Thais can do that, as a sovereign nation. Other countries with much worse refugee pressures than Thailand has are sustaining their policies of first asylum without us determining that they do so.

The Thais have got to decide to do that. They have already decided to do it. Presumably they will continue to decide to do it as a matter of national policy and as a member of the community of civilized nations. We must do everything that we can to support them, to help them. And we have to assure them of that in the most unmistakable, credible terms. But we can't guarantee first asylum in Thailand.

We've discussed your role as U.S. Coordinator for Refugees. But could we also discuss your role as director of the Bureau for Refugee Programs?

I think that the roles are very compatible. It's very important not to just combine the jobs, but to keep them separate, especially with the model we're now following. This is a very difficult thing to attempt, but I think it is the right thing to do. The Refugee Act of 1980 and the statutes and the political expectations and requirements which flow from that require that the Coordinator be separate from the Refugee Programs Bureau, from HHS, INS, and OMB; that he be supra-departmental, executive-branch wide, with important responsibilities with regard to the Congress and with regard to international negotiations. This comes under some pressure if the same person fills both jobs. A lot of good arguments can be made that that shouldn't be done. If it is done, because of the arguments that are in favor of doing so, then it must be done in some way to keep the separation as much as possible.

Update

° On Saturday, May 30, Vietnamese shelling at the Site 2 border camp in Thailand killed seven Cambodian refugees, including two children, and injured 19, according to The Nation, a Bangkok newspaper. Site 2 is home to about 150,000 Cambodians and 3,400 Vietnamese.

Thai authorities reported that Vietnamese troops had actually entered the encampment and were pushed back by Thai forces before the shelling began. International relief officials were expected to meet last week to discuss the evacuation of some of the camp population to Site 3, seven kilometers to the west.

° The Thai government is expected to permit an extension of language training and refugee processing in three Laotian camps beyond June 30, according to a May 20 article in The Nation. The article indicated that the extension was granted at the request of the United States embassy in Bangkok.

Statements made earlier this year by officials with the Thai Ministry of the Interior (MOI) had suggested that refugee processing in the Laotian refugee camps of Chiang Kham, Ban Vinai, and Na Pho would be suspended on June 30.

MOI official Wirachai Naeobunnian, deputy director of the Operations Center for Displaced Persons, said his ministry has not made a final decision as to the future of the estimated 3,000 unregistered residents of Ban Vinai, whom MOI considers to be illegal immigrants. According to the Nation article, Wirachai said senior officials in the Thai government had urged MOI to postpone further repatriation of this group.

° The State Department has authorized refugee processing for Cambodian "ration card (RC) holders" in Khao I Dang camp. Processing for priorities P-1 through P-5 is expected to begin some time before the end of FY 87, according to a State Department official. There are about 7,100 RC holders in Khao I Dang, all of whom entered the camp between August 1984 and October 1985.

° A total of 930 Vietnamese boat refugees arrived in Thailand in March, the highest monthly figure in five years according to the UN High Commissioner for Refugees (UNHCR). More than 2,700 Vietnamese have landed in Thailand in the first four months of 1987, according to UNHCR, almost twice the number of arrivals as in the same period last year.

Vietnamese boat refugees in Thailand currently number about 7,800, with a total of 31,600 "boat people" throughout the Southeast Asian region. Malaysia has also reported an increase in boat arrivals.

° Cuba has agreed to release 348 current and former long-term political prisoners and permit them to emigrate to the United States, according to a June 8 announcement by Monsignor Nicholas DiMarzio, head of Migration and Refugee Services for the U.S. Catholic Conference.

° The Intergovernmental Committee for Migration (ICM) has been selected by the State Department to prescreen and process non-Cuban Latin American refugees, according to a May 21 State Department cable. The arrangement, which became effective as of the cable's date, is open-ended.

According to the cable, ICM performs similar prescreening and processing functions in Latin America on behalf of the Australian and Canadian governments. Sixteen Central and South American ICM offices have been designated as refugee processing posts. There were already posts in Mexico, Panama, and Brazil.

Refugees can present themselves at ICM offices, or U.S. embassies or consulates, according to the cable. Wherever possible, cases will then be referred to the UNHCR for an opinion as to whether or not the claimant meets the UN Convention refugee definition. Next, applicants must show they are eligible for one of four U.S. processing priorities.

Non-Cuban Latin American refugee processing has been at a standstill since Secretary of State George P. Shultz first told Congress last August that the government intended to allocate 1,000 slots for such refugees. As of April 30, no non-Cuban refugees have been admitted under the program, according to the State Department's Bureau for Refugee Programs. Forty-nine refugees, all Cubans, have been admitted from the region, which has a ceiling of 4,000 persons.

° Since January 1, 675 Guatemalans have repatriated from Mexico with UNHCR assistance, according to UNHCR. In 1984 there were 794 repatriations; in 1985, 205; and in 1986, 355.

° In March and April authorities in the Sudan rounded up thousands of refugees and displaced persons in Khartoum and forced them out of the city. The intervention of the UNHCR helped to stay the removals of some 45,000 Eritrean refugees from Ethiopia. According to a May 11 Washington Post report, refugee sources alleged that beatings and rape occurred during the round up.

On April 9, Shun Chetty, deputy representative for the UNHCR in Khartoum, told a gathering of Ethiopian refugees in Arlington, Virginia that "the good old days of Sudanese tolerance and protection are over, they are irrevocably over." Chetty was quoted in the newsletter of the Metropolitan D.C. Coalition for Refugee Resettlement as saying, "The two hundred thousand refugees trapped in the urban areas are causing bad will against all refugees. The quantity and quality of the problem are becoming intractable in the Sudan."

° In March, the State Department authorized refugee processing for Iranians in Pakistan who are not members of religious minorities. First consideration for refugee admissions will still be given to Iranians who are members of persecuted religious minorities. The policy will be in effect until the end of the fiscal year.

° At a news conference on June 8, Attorney General Edwin Meese announced that the INS will be developing a program of AIDS testing for all immigrants, refugees, and illegal aliens applying for legal status. "Those who test positive will be denied entry to the United States or legalized residency, as the case may be," said Meese.

° On May 8, Rep. Manuel Lujan, Jr. (R-N.M.) introduced a bill to allow persons 65 years and older who have legally resided in the United States for 5 years to take the naturalization examination in the language of their choice. In introducing the bill, Lujan said, "This legislation merely recognizes the fact that the ability to learn a new language at an advanced age diminishes." He urged passage of the bill as a way of showing "compassion and understanding for those who wish to spend the golden years of their lives as Americans."

Recent Developments

ORR ALLOCATES FY 87 FUNDS FOR SOCIAL SERVICES

The Office of Refugee Resettlement (ORR) will allocate about $58 million to states for providing social services to refugees and Cuban/Haitian entrants in FY 87, according to a May 14 announcement in the Federal Register. Of this amount, $2.8 million will be allocated in the form of incentive grants to states to fund mutual assistance associations (MAAs).

An additional $10.5 million will be used by ORR on a discretionary basis to fund various demonstration projects intended to contribute to the "effectiveness and efficiency" of the resettlement program.

ORR's social service allocation formula is based on a state's population of refugees who have been in the United States for three years or less (see chart on back page). States are free to provide services to any refugee or entrant, regardless of that individual's length of U.S. residence.

Seven states with very small refugee populations were granted a floor amount of $75,000, even though the allocations formula would have allowed a lesser sum. The ORR announcement said the floor supplements an "otherwise impractically small figure" and enables states to cover "certain basic costs" in serving even small numbers of refugees.

In keeping with its overall goal of promoting early refugee employment, ORR has indicated that 85 percent of state social service funds, including the MAA incentive grants, must be used for employment services, English language training, and case management services.

ORR Defends Discretionary Funds ORR reported that three comments on earlier proposed allocations were critical of the $10.5 million discretionary funds, stating that the funds either should be reduced, eliminated, or folded into the state social service allocations. ORR defended the discretionary funding in its May 14 announcement, saying that it addresses special needs in a "more flexible and productive manner" than might be possible by simply allocating the money to states on a formula basis.

The ORR discretionary funds will be supporting two new initiatives in FY 87. Up to $3.5 million is available to states for "Community Stability Projects" (CSP) that will discourage migration out of communities with significant employment opportunities. About $4 million is available for the "Key States Initiative" (KSI) to reduce refugee welfare dependency and increase employment in eight states with a high percentage of refugees on cash assistance. The eight states are California, Massachusetts, Minnesota, New York, Pennsylvania, Oregon, Washington, and Wisconsin.

MOORE ATTENDS REFUGEE REMEMBRANCE DAY IN MINNESOTA

In his first domestic trip since taking office nine months ago, Ambassador Jonathan Moore, the U.S. coordinator for refugee affairs, paid a two-day visit to Minnesota last week, where he addressed a crowd of more than 1,000 refugees and advocates.

Saying he had come "to listen and to learn," Moore praised Minnesota as having "one of the most effective resettlement programs in the United States." He heard the appeals of numerous refugee community leaders for continued protection and assistance overseas. Refugee children presented the ambassador with thousands of paper cranes, an international symbol of peace, as a reminder of the 400,000 Indochinese refugees still in Thailand and the 20,000 Ethiopians in Djibouti who face repatriation.

The group had gathered at a park in downtown Minneapolis to commemorate "Refugee Remembrance Day," an event organized by the Governor's Advisory Council on Refugees and the Refugee Advocacy Coalition. "We wanted to show the Ambassador our grave concern for the camp situations and our great commitment for continued resettlement," said Rev. Joan Hill, a Lutheran minister and member of the coalition. "We also wanted to express our expectations that the United States will do everything in its power to see that these refugees are protected," said Hill.

Other featured speakers at the Loring

Rev. Joan Hill with two refugee children waiting to present their baskets of paper cranes to Ambassador Jonathan Moore.

C. Robinson/USCR

Park rally included Sen. Rudy Boschwitz (R-Minn.), Rep. Bill Frenzel (R-Minn.), and Sandra Gardebring, commissioner of Health and Human Services in Minnesota.

Later the same day at the Central Lutheran Church, Moore told an audience of 250 that it was very difficult to sustain hope in the refugee program given the "conditions of fear and suffering, inadequate resources, and competing political interests." He cautioned the group not to expect too much from the refugee coordinator's office. "We are not that powerful," he said, "but we are committed. We will continue to struggle in the cause."

Dominant Focus is Southeast Asia With Indochinese comprising more than 80 percent of Minnesota's 33,000 refugees, the major focus of Moore's visit was on the first asylum situation in Southeast Asia, particularly in Thailand. Lao and Hmong community leaders expressed their concerns about Thai "pushbacks" of asylum-seekers, the threatened restrictions in processing at the Laotian refugee camps, and the recent high rejection rates of Lao resettlement applicants by the Immigration and Naturalization Service (INS).

Cambodians in Minnesota asked about the fate of their friends and family in Khao I Dang camp, the last facility for Cambodians in Thailand under the auspices of the UN High Commissioner for Refugees (UNHCR). About 400 residents of the camp have already been relocated to the Thai-Cambodian border.

The safety of the 3,400 Vietnamese in Site 2, a predominantly Cambodian border encampment, was another subject of inquiry.

Moore pointed out that the U.S. government had protested the pushback incidents involving Hmong asylum-seekers in March, and was working with Thai authorities to ensure continued access to Khao I Dang and the Laotian camps for processing. Protection at the border remained a concern, he said, but the United States was supporting the efforts of UNHCR and other international agencies to improve it.

"We continue to work with the Thais to commend and to criticize," said Moore, but added that the decisions on Thai refugee policy are "ultimately theirs." He emphasized that "the U.S. is fully and permanently engaged in the Indochinese refugee problem," and that it "remains committed to seeing the situation through to conclusion."

Regarding the fluctuating approval rates by INS, Moore noted that "manpower is a problem in addition to consistent processing." He said, "I wish there was something more I could do."

Moore Anticipates "Some Kind of Review" for Rejected Cambodians In a question and answer session at the church, someone asked if the government was considering a "case-by-case" review of the 14,000 Cambodians in Khao I Dang previously rejected for U.S. admission. Moore said that he anticipates "some kind of review," but did not specify details or dates.

Moore suggested that his response to the review issue was complicated by the fact that both INS and the Department of State have publicly opposed any further review of the cases. "The reason why it has taken so long is my fault," he said. "I have to find a formula to build support. But it would be wrong not to have any kind of a further review."

U.S. Policy in Djibouti is "Stalemated" Asked about the current policy on U.S. processing of Ethiopians in Djibouti, Moore called the situation "stalemated." The government of Djibouti had requested that processing be stopped six or seven years ago, according to Moore. Since then Djibouti has been promoting repatriation as a solution.

The current voluntary repatriation program, developed in consultation with UNHCR, has been a source of "a great deal of concern and dissatisfaction," Moore acknowledged. A July 1986 circular issued by the Djibouti government said, "All those who do not accept to repatriate voluntarily to Ethiopia must request individually the continuation of their refugee status." Those whose requests are denied "must leave the Djiboutian territory." UNHCR figures as of April show that 2,150 refugees have returned to Ethiopia through this initiative.

"UNHCR doesn't seem to understand that this repatriation is not voluntary," said Dure Negassa of the Oromo Community of Minnesota. She told Refugee Reports that the Mengistu regime continued to persecute the Oromo people by uprooting them from their traditional homelands. Urban refugees are also considered to be at-risk of government persecution if returned.

Ambassador Moore receiving gifts from the Minnesota refugee community

C. Robinson/USCR

UNHCR figures indicate that about 25 percent of Djibouti's 20,000 refugees are Oromo, and a State Department official estimated that there are about 70,000 Oromo refugees in the Horn of Africa. Negassa urged the U.S. government to take a "fair share" of Oromos in the African resettlement program.

Moore Calls Hatfield Bill "Radical" and "Controversial" Asked if his office supported Indochinese refugee legislation recently introduced by Sen. Mark Hatfield (R-Ore.), Moore replied, "It is difficult for me to comment." He said that neither the State Department nor the Office of the U.S. Coordinator for Refugee Affairs had taken a position on the bill.

Hatfield's legislation (S.814) would, among other things, establish minimal ceilings for Indochinese admissions for the next three years, and transfer processing authority in Southeast Asia from the INS to the Department of State.

"I am sympathetic" to the bill, said Moore, "Its motivations and its purposes I share." The Hatfield bill "seeks to make a lot of radical changes in the way the U.S. government makes and pursues refugee policies," said Moore. He called the initiative "controversial" in that "it involves serious assets and liabilities in almost everybody's analysis."

Moore Praised for Honesty, Criticized for Defensiveness After meeting with Moore for about one hour on June 1, several Minnesotan religious leaders expressed disappointment at what one termed his "defensive stance." "I was troubled by his constant refrain of not having enough authority," said Rabbi Howard Jaffe, president of the Minnesota Rabbinical Association. "I was concerned that he did not motivate us or inspire us. He painted a picture of gray that leaves me somewhat empty."

Josee Cung, a Vietnamese refugee on the Governor's Advisory Council, found Moore "very frank, very honest." "I think refugees in Minnesota should feel honored that he came here," she told *Refugee Reports*. Nevertheless, she said, "he hasn't committed to anything. We understand this, but it is still frustrating."

CANADA INTRODUCES LEGISLATION TO STREAMLINE ASYLUM DETERMINATION

The Canadian government has introduced a bill into the House of Commons that would expedite the system for determining whether an asylum seeker has a bona fide claim to refugee status.

According to the government, the new system would reduce the hearing and appeals process from eight steps to three--a claim that is challenged by Canadian refugee advocacy groups. As a consequence of this streamlining, the government asserts that the adjudication process would be reduced from years to a matter of months, and that in many cases asylum seekers with no arguable claim would be removed from the country in a matter of days.

Under the new legislation, a denied refugee claimant would have fewer chances for appeal and would be removed from Canada pending appeal to the Federal Court.

A government statement issued with the legislation said, "The proposed system would allow for a rapid response to genuine refugees needing protection. It would also permit the speedy removal of those making refugee claims for reasons other than protection."

Asylum applicants would also be more likely to be returned to a "safe third country" under the proposed legislation. The government says that the Cabinet would establish a list of such countries. "A country can be excluded," the government statement notes, "if it has a poor record vis-a-vis a particular group."

Critics Contend "Safe Third Country" Unclear Refugee advocacy groups say that the notion of a "safe third country" is vague and troublesome. "There is no universal understanding of this concept," said Kathleen Ptolemy, refugee consultant to the Anglican Church of Canada. "It appears to be a figment of the North American/Western European imagination."

Rivka Augenfeld, president of the Coalition of Montreal Organizations Working for Refugees, said that government assurances on return to safe third countries were not adequate. "When the temporary restrictions went into effect on February 20, the government said it had an agreement that Central Americans returned to the United States would not be deported, but it wasn't binding and the United States said all along that it reserved the right to deport." (See *Refugee Reports*, Vol. VIII, No. 3.)

Immigration Officer and Independent Refugee Board Member Would Make Initial Determinations The new legislation would establish a Convention Refugee Determination Division (CRDD). A member of the CRDD would be involved with an immigration officer in the initial assessment of every claim to determine whether the asylum applicant should be admitted for further consideration by a panel of the CRDD.

Applicants could be ruled ineligible on any of five grounds, including recognition as a refugee by another country and being returnable to a safe third country.

After determining applicants' *eligibility*, the immigration adjudicator and CRDD member would then have to determine their *credibility*. The grounds for credibility would be the human rights record of the country where the applicant feared persecution and the disposition of other cases of refugee claimants from the same country.

Refugee claimants would have to satisfy both the eligibility and credibility criteria before the individual facts of the case could be considered by a two member panel of the CRDD.

Critics Say Refoulement Likely Michael Schelew, spokesman on refugee affairs for the Canadian section of Amnesty International, told *Refugee Reports*, "The government says no genuine refugee will be turned away, but how will they know if they don't hear the merits of the cases?"

Schelew said that the Private Bar of Canada estimated that 80 percent of refugee claimants' cases would not be heard if the bill became law. He said that "massive refoulement" would be likely to occur.

The government holds that protection would be maintained since both the adjudicator and the CRDD member would have to agree in order to remove the claimant without a further hearing. A two member panel of the CRDD would then conduct non-adversarial hearings to determine whether to accept or reject the claim. If rejected by the CRDD panel, the asylum applicant would be removed from the country pending an appeal.

Such appeals would be limited to "questions of law, jurisdiction, and perverse or capricious interpretations of fact." The government paper states, "The incidence of successful appeal on these grounds is currently very low and should diminish further because of the high quality of the new proceedings."

Schelew said that it would be "ludicrous" to require refugee claimants to file appeals from outside the country. "They could be dead by then." He added that not allowing appeal of asylum decisions on the merits violates UNHCR guidelines for refugee determination.

In announcing the new legislation, Benoit Bouchard, Minister of Employment and Immigration, said, "This system is fair. It is fair to genuine refugees, to claimants and to Canadians. It ends delays and uncertainty for genuine refugees and it preserves the integrity of our immigration program."

Augenfeld challenged the fairness of the government position. While conceding that the present refugee determination procedure has been cumbersome and therefore subject to abuse, she said, "We are convinced that a system can be efficient and fair.

She suggested that such a system should drop the pre-screening step, and allow the asylum seeker reasonable time to find legal counsel and prepare a case. The case would heard, at the outset, by a "competent, independent body." She said that if such a system were in place, and included an appeals option based on the merits, that "the decisions would be accepted."

Opposition Calls for Withdrawal of Bill

The week of June 9 was designated by opponents of the bill as a National Week of Protest. The date was chosen, according to Nancy Nichols, a representative to the Interchurch Committee for Refugees from the Canadian Conference of Catholic Bishops, because June 9, 1939, was the day that a shipload of Jews on board the St. Louis was denied access to Canada and forced to return to Nazi-occupied Europe.

"We want the bill withdrawn," said Nichols. "It is so seriously flawed that we believe it can't be amended."

Nichols said that the screening process violates the principle of universal access, that the bill lacks any meaningful appeal procedure, and that a Cabinet determination of "safe third countries" would politicize the refugee determination process.

JEWS EXIT SOVIET UNION IN LARGEST NUMBERS SINCE 1981

Continued heightened emigration of Jews from the Soviet Union is leading to discussions within Congress and the administration for a reallocation of the regional ceilings for refugee processing into the United States and for reallocating funds for refugee resettlement toward programs that could benefit this influx.

In May, the largest monthly total of Jews exited the Soviet Union since May 1981. The May total, 871, brings to 2,302, the number of Soviets Jews who have emigrated this year, according to the National Conference on Soviet Jewry.

According to the regional ceiling established in annual consultations with Congress, 10,000 places are set aside to resettle refugees from Eastern Europe and the Soviet Union. Through the first seven months of the fiscal year, 5,572 refugees have been admitted from the region, of whom, 677 have come from the USSR.

Discussions are currently taking place between members of Congress and the administration to transfer some unused refugee admission numbers from the Latin America and Africa regional ceilings to Europe, according to knowledgeable sources. If the administration makes such a request, as expected, the Office of Management and Budget (OMB) is likely then to be asked to transfer money within the budget according to the new circumstances.

Senate Tells OMB to Allow Transfer of Funds into Matching Grants Program Independent of any decisions on reallocation of refugee admission numbers, all three members of the Senate immigration and refugee subcommittee have endorsed an effort to transfer funds into the matching grants program, in light of the increase in Soviet Jewish emigration.

Under the matching grants program, which traditionally has benefited Soviet and East European refugees, federal funds of up to $1,000 per refugee have been provided on a dollar-for-dollar basis to participating voluntary agencies to provide alternatives to state-administered programs funded by the federal Office of Refugee Resettlement (ORR).

In a letter to the chairman of the Senate Appropriations Committee, Senators Kennedy, Simon, and Simpson asked for the transfer of about $2 million within ORR to expand the matching grants program. According to the April 30 letter, refugees resettled through the program are at least 80 percent self-sufficient, as compared to a 54 percent welfare dependency rate nationally among refugees. "Obviously," said the letter, "this program saves the federal and state governments considerable public assistance dollars."

On May 21, there was a colloquy on the Senate floor on the subject in which Senators Kennedy, Chiles, and Weicker (the latter two being the chairman and ranking minority member of the responsible Appropriations subcommittee) all supported the transfer of $2 million within ORR for the Matching Grants program. Kennedy said, "OMB thus far has been unresponsive to this request, despite the modest amounts involved and the fact that no new money would be required."

CONGRESSIONAL HEARINGS ON DEPORTATIONS TO CENTRAL AMERICA CONTINUE

Congressional hearings are being held on three bills that would provide a temporary stay of deportation, much like extended voluntary departure (EVD), for Salvadoran and Nicaraguan nationals in the United States. EVD is a temporary stay of deportation granted to specific nationality groups at the discretion of the Attorney General. EVD is currently in effect for nationals of Afghanistan, Ethiopia and Poland.

The House rules committee, chaired by Rep. Joseph Moakley (D-Mass.), has held three hearings since the beginning of May on two bills that would legislate the non-deportation of Salvadorans and Nicaraguans--H.R. 618, sponsored by Moakley and H.R. 1409, sponsored by Rep. Claude Pepper (D-Fla.).

On June 3, the committee heard testimony from several government officials, including Alan Nelson, commissioner of the Immigration and Naturalization Service. Nelson said that while "we're all concerned with human rights and violence," the administration remains opposed to EVD for a number of reasons. He said the bills were unnecessary because "the existing asylum procedures already in place are working." He added, "This legislation would be a magnet for future immigration," and, if passed, "a victory for the sanctuary movement." Later, in answer to a question by Moakley, Nelson said that, in his opinion, "EVD is not a good concept." Moakley asked, "Are there any criteria under which you would support EVD?" Nelson replied, "Probably not."

Also testifying was Gretchen Bolton, Washington representative for the Intergovernmental Committee for Migration (ICM). Bolton faced tough questions from Moakley regarding a report ICM released on July 22, 1986, based on its reception program for Salvadoran returnees. The State Department subsequently said the report suggested that Salvadoran returnees were in little danger of persecution. But a GAO study published in May 1987 found that no such conclusions could be drawn from ICM's data (see Refugee Reports, Vol. VIII, No. 3). Bolton said that ICM had objected to the State Department's use of their data. "We do not say our data proves anything," she said.

Meanwhile, in the Senate, S. 332, a bill providing nondeportation for Salvadorans, sponsored by Sen. Dennis DeConcini, (D-Ariz.), heads for a hearing in the subcommiteee on immigration and refugee policy, chaired by Sen. Edward M. Kennedy (D-Mass.). Congressional sources said that Sen. Alan K. Simpson (R-Wyo.) may offer as many as seven amendments to the bill, including one which would require case-by-case review, rather than blanket suspension of deportation for Salvadorans, and one which would require that all those admitted be considered against the total number of refugee admissions during the consultations between the State Department and Congress. No date for the hearing has yet been set, but it is expected to be held prior to the next full Senate Judiciary Committee meeting on June 23.

In a related development, on May 15,

the Reagan administration rejected a direct appeal from El Salvador's President Jose Napoleon Duarte not to deport Salvadorans from the United States back to El Salvador (see Refugee Reports, Vol. VIII, No. 5). Duarte expressed concern that large-scale deportations might result from implementation of the Immigration Reform and Control Act. Phyllis Oakley, a State Department deputy spokeswoman, said, "We wish to avoid exceptions which others might take as precedents."

Since January, at least 80 civilians have died because of political violence in El Salvador, according to a State Department official. Half of the victims, most killed by landmines, are thought to be women and children.

DOCUMENTS REVEAL INS UNDERCOVER OPERATIONS

INS agents have been given permission to commit felonies, violate lawyer-client confidentiality, and to conduct undercover operations against the media, and religious and political organizations, according to guidelines approved by the Attorney General.

The guidelines, signed on March 5, 1984, by then-Attorney General William French Smith, came to light recently through a Freedom of Information Act request.

The guidelines define "otherwise illegal activity" as acts "that would constitute a crime under federal, state, or local law if engaged in by a person acting without the approval or authorization of an appropriate government official."

The guidelines require the prior approval of the the INS Commissioner or the Associate Commissioner for Enforcement with the concurrence of the Assistant Attorney General for the Criminal Division or his or her designee for "undercover operations involving sensitive circumstances."

Such sensitive circumstances include, among others, when "an undercover employee or cooperating private individual":

° "will...investigat[e]...activities of a religious or political organization, or the activities of the news media;....

° "will engage in any otherwise illegal activity which would be proscribed by federal, state, or local law as a felony or which would be otherwise a serious crime....

° "will attend a meeting between a subject of the investigation and his or her lawyer;

° "will pose as an attorney, physician, clergyman, or member of the news media, and there is significant risk that another individual will be led into a professional or confidential relationship with the undercover employee or cooperating individual as a result of the pose."

Undercover Operations Target Sanctuary Movement, Palestinians The most widely known INS undercover operation since the guidelines were signed involved the infiltration of church activists in the sanctuary movement. The May 2, 1986, conviction of six sanctuary movement members in Tucson for conspiracy to smuggle illegal aliens into the United States was based largely on evidence gathered by men posing as Christian sanctuary volunteers (see Refugee Reports, Vol. VII, No. 1). They secretly recorded about 100 tapes of meetings and conversations at Tucson's Southside United Presbyterian Church.

In a more recent development, on January 20, seven Palestinians and one Kenyan were arrested in Los Angeles, and initially charged under a McCarthy-era law, the McCarren-Walter Act of 1952, for alleged affiliation with the Popular Front for the Liberation of Palestine (PFLP). The McCarren-Walter Act bars aliens in the United States from activities that promote world communism. All eight denied the charges.

Later the government dropped the subversion charges, but has continued to seek the deportation of the eight by charging six with visa violations and the other two under another section of the McCarren-Walter Act which prohibits affiliation with an organization that advocates "the unlawful damage, injury, or destruction of property."

FBI Conducts Investigation, INS Carries Out Arrests The arrests came after a ten-month investigation and several months of covert surveillance by the FBI. Although the INS does not appear, in this case, to have been involved in the covert activity, it did carry out the arrests and is continuing to press for the deportation of those involved.

Marc Van Der Hout, an attorney with the National Lawyers Guild who is part of the defense team for the Palestinians, told Refugee Reports that the document was "quite significant" and would be raised as part of the defense. He said that the defense will use the guidelines to determine who was involved in the undercover activity, who approved the actions, and whether the approval procedures outlined in the guidelines were followed.

Another INS document has also been leaked which lawyers for the Palestinians contend shows the existence of a plan to target "particular nationalities or groups known to be composed primarily of certain nationalities, most probably those citizens of states known to support terrorism."

The May 1986 report, "Alien Terrorists and Undesirables: A Contingency Plan," recommends close cooperation between the INS and other U.S. intelligence and security agencies, including the FBI.

Following the leaking of the report in February, a Los Angeles Times investigation revealed that an Alien Border Control Committee was formed the same month as the plan, May 1986, and continued to meet as late as last November. The Committee included representatives of the INS, CIA, FBI, and State Department, according to the Times, and recommended that the FBI and other law enforcement agencies "immediately provide" immigration authorities "with lists of names, nationalities and other identifying data and evidence relating to alien undesirables and suspected terrorists believed to be...in the United States."

Officials of the INS deny that the contingency plan is INS policy. Alan C. Nelson, INS commissioner, was quoted in the Congressional Quarterly as saying, "Nothing is implemented or up for decision or review." He described the plan as a "legitimate analysis at a lower staff level" and said that "a few people got carried away" in their reaction to it.

However, Dan Stormer, the attorney coordinating the Palestinians' defense, told Refugee Reports that the plan was used to target the Palestinians in southern California. "It is clear from the nature of the prosecution, from the original charges, from the statements during the bond hearing, and from continuing efforts to deport them, that INS is following the plan to the T."

Nelson, on the other hand, termed as "far fetched" the notion that the arrests and contingency plan were linked in some way. "People put two and two together and got 20 because we arrested some Palestinians," he said.

The American Civil Liberties Union, representing the two Palestinians, has asked that the McCarren-Walter Act be declared unconstitutional, and the Arab-American Anti-Discrimination Committee has filed a lawsuit claiming that the action has violated the first amendment rights of the two defendents to hold and express their beliefs.

In a related development, Rep. Barney Frank (D-Mass.) and Sen. Daniel Moynihan (D-N.Y.) have introduced bills that would limit grounds under the McCarren-Walter Act for deporting aliens or denying them visas because of political beliefs. The House bill, H.R. 1119, which was introduced on February 18, is tentatively scheduled for a hearing in the immigration and refugee subcommittee in late June. No hearings are yet scheduled for the Senate version, S. 28.

Resources

AMNESTY INTERNATIONAL ON CAMBODIA, IRAN

Amnesty International has recently published reports on two significant refugee generating nations--Iran and Cambodia. Both reports detail the human rights abuses that have caused hundreds of thousands of people to flee their homelands.

Kampuchea: Torture and Political Imprisonment in the People's Republic of Kampuchea (Cambodia), documents the use of torture of political prisoners during interrogation and of cruel and inhuman prison conditions.

Of particular relevance to Iranian asylum applicants, Iran: Violations of Human Rights, finds that "many arrests are believed to have been made because detained friends, relatives or political colleagues had given the individual's name under torture."

For more information about these reports, contact Amnesty International at 322 Eighth Avenue, New York, NY 10001. (212) 807-8400.

ESTIMATED 3-YEAR REFUGEE/ENTRANT POPULATION BY STATE AND SOCIAL SERVICE ALLOCATIONS FOR FY 1987

STATES	3-YEAR POPULATION*	ALLOCATION	MAA INCENTIVE ALLOCATION
Alabama	997	$ 272,308	$ 14,215
Arizona	2,625	716,960	37,425
Arkansas	536	146,396	7,642
California	68,704	18,764,966	979,532
Colorado	2,373	648,132	33,833
Connecticut	2,304	629,286	33,849
Delaware	62	75,000	5,000
District of Columbia	506	138,203	7,214
Florida	4,326	1,181,550	61,677
Georgia	3,311	904,326	47,206
Guam	50	75,000	5,000
Hawaii	853	232,978	12,161
Idaho	965	263,568	13,758
Illinois	8,387	2,290,722	119,576
Indiana	767	209,489	10,935
Iowa	2,018	551,172	28,771
Kansas	2,480	677,357	35,358
Kentucky	759	207,304	10,821
Louisiana	2,544	694,837	36,270
Maine	872	238,167	12,432
Maryland	3,573	975,612	50,927
Massachusetts	8,908	2,433,022	127,004
Michigan	3,062	836,317	43,656
Minnesota	5,544	1,514,220	79,042
Mississippi	350	95,595	5,000
Missouri	2,178	594,872	31,052
Montana	86	75,000	5,000
Nebraska	482	131,648	6,872
Nevada	831	226,969	11,848
New Hampshire	262	75,000	5,000
New Jersey	2,800	764,758	39,920
New Mexico	427	116,626	6,088
New York	14,303	3,906,545	203,922
North Carolina	1,688	461,040	24,066
North Dakota	421	114,987	6,002
Ohio	2,763	754,652	39,393
Oklahoma	2,082	568,652	29,684
Oregon	2,683	732,802	38,252
Pennsylvania	5,942	1,622,925	84,717
Rhode Island	1,895	517,577	27,018
South Carolina	271	75,000	5,000
South Dakota	336	91,771	5,000
Tennessee	2,141	584,766	30,525
Texas	13,933	3,805,488	198,647
Utah	2,022	552,264	28,828
Vermont	178	75,000	5,000
Virginia	6,048	1,651,876	86,228
Washington	8,427	2,301,647	120,146
West Virginia	68	75,000	5,000
Wisconsin	2,208	603,066	31,480
Wyoming	21	75,000	5,000
TOTAL	201,371	$55,327,418	$2,896,992

*Estimate of refugee/entrant population who have resided in the United States 3 years or less.

Source: Office of Refugee Resettlement.

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SENATE HOLDS MIDYEAR HEARINGS ON FY 87 REFUGEE ADMISSIONS

Refugee admissions to the United States in FY 87 are expected to total about 65,000, according to government officials testifying at a June 30 Senate hearing on the U.S. refugee program. In order to achieve this number, the Reagan administration has authorized reductions in the Africa and Latin America regional ceilings, where shortfalls are anticipated for the year, and supplemented the admissions ceilings for the Soviet Union and the Near East/South Asia. The worldwide refugee admissions ceiling for FY 87 is 70,000, which includes an "unallocated reserve" of 4,000 (see chart below).

The hearing before the Senate Subcommittee on Immigration and Refugee Affairs marked the second time that midyear consultations have been held on the refugee program. It is the third time since passage of the Refugee Act of 1980 that regional admissions ceilings have been adjusted during the course of a fiscal year.

Original and Revised Ceilings for Refugee Admissions in FY 87

Region	Original Ceiling	Revised Ceiling
Africa	3,500	2,000
East Asia	40,500	40,500
Eastern Europe/ Soviet Union	10,000	12,300
Latin America/ Caribbean	4,000	1,000
Near East/ South Asia	8,000	10,200
Reserve	4,000	4,000
TOTAL	70,000	70,000

Ambassador Moore Explains Need for Regional Transfers

Testimony from Ambassador Jonathan Moore, the U.S. Coordinator for Refugee Affairs, cited delays in the movement of approved refugees out of the Sudan and

IN THIS ISSUE:

Congress and the administration have been active this month on refugee policy issues, including midyear consultations on reallocating refugee admission numbers...1

- Update.................5
- Recent Developments

Refugees to be screened for AIDS; Deportation policy for Poles, Salvadorans, and Nicaraguans discussed; Shultz reassures ASEAN on U.S. refugee resettlement; Board of Immigration Appeals applies new asylum standard.........6

- Projects and Programs

Academics use refugees as information source on home countries..................12

- Current Research

Cambodian women studied 14

- Reader Exchange......15
- Resources.............15
- Statistics

Actual Refugee Admissions to the U.S. and Ceilings on Refugee Admissions, FY 75-87..16

"fewer than anticipated" refugee applications from Southern Africa to explain why admissions of African refugees will total about 2,000 this fiscal year.

FY 87 admissions from Latin America and the Caribbean will be even farther off the original mark of 4,000, which included a special authorization to admit up to 1,000 non-Cuban refugees from the region. As of May, regional admissions totalled only about 60 Cuban refugees. In June, the administration authorized the transfer of 3,000 admissions numbers out of the region.

Moore noted that an additional 348 Cubans, all political prisoners and their families, will be allowed to leave Cuba shortly, thanks to negotiations undertaken by Monsignor Nicholas DiMarzio of the U.S. Catholic Conference with President Fidel Castro. Processing of Cuban political prisoners has been slow since May 1985, when Castro suspended the Mariel Migration Agreement.

"Few refugees from other Latin American countries have yet applied for admission," said Moore, although he noted that the United States has recently set up "special working agreements" with the UN High Commissioner for Refugees and the Intergovernmental Committee for Migration (ICM) "in order to pursue more vigorously efforts to identify potential candidates."

Commissioner Alan Nelson of the Immigration and Naturalization Service (INS) testified that an INS "circuit rider" trip to Latin America will take place in July to process several groups of non-Cuban refugees.

In justifying the transfer of 2,300 admissions numbers to the Eastern Europe/Soviet Union region, Moore said, "Emigration from the Soviet Union reached the highest level in five years in April 1987, and may increase still further." The National Conference on Soviet Jewry reports that 3,098 Soviet Jews have emigrated since the start of the calendar year.

Persecution and human rights abuses in Afghanistan and Iran "continue to produce larger than anticipated needs for U.S. resettlement of refugees from those countries," said Moore. With 7,000 refugee applications pending in the Near East/South Asia region, a transfer of 2,200 admissions numbers "will help alleviate some of these pressures," he said.

Due to illness, Moore did not present his testimony himself. He was represented by Robert Funseth, senior deputy assistant secretary of the Bureau for Refugee Programs in the Department of State. Also testifying for the administration was Billie F. Gee, director of the Office of Refugee Resettlement in the Department of Health and Human Services.

__Kennedy, Simpson "Concur" with Transfers, Express "Some Disappointment"__ In a June 24 letter to Moore, Sens. Edward M. Kennedy (D-Mass.) and Alan K. Simpson (R-Wyo.) commended him for "using the flexibility which the Refugee Act provides" in reallocating numbers from the Africa and Latin America regions. "It is not without some disappointment that we concur with this transfer, however," they added. The senators urged the United States to make "greater efforts ...in Africa and other countries to assure that our resettlement program is indeed available to those refugees needing it." The letter also noted the ability of governments such as Canada and Australia to "find significant numbers of refugees" in regions where the United States has traditionally offered resettlement to very few.

Kennedy is chairman of the Subcommittee on Immigration and Refugee Affairs, and Simpson is ranking minority member.

The two senators recommended that approximately $2 million be transferred within the Office of Refugee Resettlement (ORR) to expand the matching grant program in light of the anticipated increase in arrivals of Soviet Jews (see __Refugee Reports__, Vol. VIII, No. 6). The program, which matches public and private funding on a one-to-one basis up to $1,000 per refugee, "has achieved remarkable success in helping refugees secure early employment," said the letter.

__InterAction Testimony Highlights Resettlement Needs, INS Processing__ Wide-ranging testimony from private voluntary agencies was presented by Karl Zukerman, chairman of InterAction's committee on migration and refugee affairs. In his statement at the hearing, Zukerman expressed support for continued resettlement of Indochinese refugees, maintenance of the matching grant program, and enactment of the Moakley-DeConcini bill, which would grant temporary safe haven to Salvadorans and Nicaraguans in the United

States who are fleeing violence in their own countries. (See Recent Developments)

The InterAction testimony also stated that "a continued INS overseas presence in refugee processing is anachronistic, costly, and not really necessary." InterAction recommended that the INS "withdraw from refugee processing overseas and that these responsibilities be delegated to consular officers of the Department of State."

Consular officials will issue more than 200,000 immigrant visas this year, and more than 2 million non-immigrant visas, according to InterAction. "Is it necessary to maintain a parallel overseas service within the INS with the primary function of processing 50,000 to 60,000 refugees?" the testimony asked.

A "chronic shortage of personnel" in INS, moreover, has created "major bottlenecks" in refugee processing, the InterAction statement continued. It gave the example of INS "circuit riders" who travel infrequently to processing posts, thereby generating admissions problems and imposing hardships on refugees who must wait long periods for an INS officer to arrive.

INS Commissioner Nelson defended the current system as "cost effective, while having the added benefit of maintaining high quality, consistent refugee determinations." Generally, INS officers are stationed in countries of first asylum with concentrations of refugee applicants, said Nelson. Replacement of INS staff by State Department consular officials "would have to be one-for-one in these settings," he said, and no savings would be achieved.

The quality of refugee processing would also suffer, according to Nelson, in distant consular posts "with inexperienced consular officers and where no assistance would be available from contract voluntary agency personnel."

Citizens Commission on Indochinese Refugees Reports on Mission to Thailand Preservation of first asylum, refugee protection, and continuation of consistent and compassionate resettlement policies were the three major concerns voiced by Bayard Rustin, chairman of the Citizens Commission on Indochinese Refugees. The group, which included actress and humanitarian Liv Ullmann, visited seven refugee camps and detention centers in Thailand from May 29 to June 4.

Noting that, during their visit, seven people were killed and numerous others wounded by shelling at the Cambodian border camp, Site 2, the group recommended that the safety of the 260,000 Cambodian "displaced persons" on the border "should be further safeguarded by bringing them within the protection of the UNHCR." They also recommended that Site 2 be moved to a safer location.

The citizens group took "special note" of the caseload of more than 12,000 Cambodians in Khao I Dang who have been rejected for U.S. admission, and said a further review of these cases "is imperative." Khao I Dang, a UNHCR refugee camp with about 22,000 Cambodians, was officially closed by Thai authorities at the beginning of the year.

In his testimony, Ambassador Moore called the issue of the rejected Cambodians "complicated, difficult, and emotionally loaded." He said he was "engaged actively in weighing all the pieces, and will have a course of action to recommend shortly."

Nelson defended the INS rejections as "justified," saying, "Our procedures are solid." "We can't just have a review for review's sake," he said. "The system will be torn apart." Nelson also indicated that the use of Humanitarian Parole (HP) for this group "would not be appropriate." The HP designation, which has been used to admit a very limited number of Cambodians from the border and Khao I Dang into the United States, expedites processing for people who do not meet refugee criteria and are not yet eligible for an immigrant visa, or whose admissions to the United States is determined by the Attorney General to be "for emergent reasons or...in the public interest."

The Citizens Commission recommended that the Thai screening program for Laotian asylum-seekers needs "greater UNHCR participation by international staff," and that Hmong and other highland Lao should be permitted to enter the screening process, which was begun by Thailand in July 1985 in an effort to identify Laotian border-crossers with legitimate claims to refugee status.

The group also called for the "immediate resumption" of the Orderly Departure Program, which has brought more than 50,000 Vietnamese refugees and immigrants directly to the United States since 1979. Processing of new cases for the U.S. program came to a halt in January 1986 when the Vietnamese government suspended further interviewing.

Simpson Says Indochinese Program "Dominates and Dwarfs" Rest of the World "I am concerned at the direction of our refugee program in Southeast Asia," said Simpson at the conclusion of testimony by private witnesses. It "continues to dominate and dwarf the rest of the world," he said, "despite the reports that the flow has increasingly changed. Fewer and fewer have grounds for persecution, and more and more are economic migrants." The Southeast Asian program "is so focused on the minutest detail," he said, "that other bona fide refugee situations get overlooked and underaddressed."

It is "unreasonable" to expect that the 150,000 people still in first asylum camps throughout the region would be eligible for admission to the United States under current law, said Simpson. "We either change the laws or quit gimmicking the system at the request of some incredibly selfish advocates," he said.

Simpson pointed out that, of the Indochinese refugees resettled around the world, the United States had resettled 50 percent of the Vietnamese, 85 percent of the Cambodians, and 95 percent of the Hmong, an ethnic group from the mountains of Laos. Noting some of the difficulties they have encountered adjusting to American life, Simpson called the Hmong "the most indigestible group in society."

Angola Nears Massive Food Crisis Warning of an "impending disaster in Angola," Roger Winter of the U.S. Committee for Refugees testified that "parts of that country will face famine conditions by the end of this year." Winter told of his visit to Zaire last month where he encountered some of the 20,000 new Angolan refugees who entered Zaire in the last few months. "They report there is no food back inside Angola," he said, "and that planting has been disrupted by the violence" of a civil war that has lasted almost twelve years and uprooted nearly four million people.

To meet minimum consumption levels, Angola will need about 200,000 tons of grain, according to Winter. He said he expected the United Nations to declare a food emergency shortly, and called upon the United States and other Western donors to respond "promptly and favorably to Angola's food needs, drawing, wherever possible, on food surpluses in African countries."

Winter had better news on Uganda, where he said, "Voluntary repatriation is alive and well." Several years ago, Ugandan refugees comprised the fourth largest refugee group in the world, as more than 400,000 people had fled from the abuses of the Milton Obote regime into the neighboring countries of Rwanda, Zaire, and the Sudan. Now, "one of the largest voluntary repatriations of refugees in years" has brought that number down to around 75,000, the result of a conciliatory government with a more disciplined army, said Winter.

Former INS Commissioner Proposes New Refugee Category One of the four witnesses at the hearing from the private sector chose not to focus on recent refugee program operations, but proposed, instead, a change in the Refugee Act itself. "The suggestion is that we consider creating a special humanitarian status to supplement the status of refugee as we presently know it," said Doris Meissner, senior associate with the Carnegie Endowment for International Peace, and former acting commissioner of INS. "What is needed is a legal status that can bridge the gap in time and definition between a refugee and an immigrant."

Before passage of the Refugee Act of 1980, large numbers of refugees were "paroled" into the United States, under the authority of the Attorney General. Although this "ad hoc" approach created numerous legal problems, according to Meissner, "there was no difficulty deciding whether particular individuals qualified to come to the U.S. as refugees," since parole actions applied to groups of people.

Under the terms of the Refugee Act, "a refugee would now have to be not just a person who was part of a group that was of special humanitarian concern to the U.S.," Meissner said, but also "a person who could individually demonstrate a well-founded fear of persecution." This "more stringent requirement," she said, "establishes a standard that is not altogether synonymous with circumstances of compelling humanitarian need or concern to the U.S."

"We have three choices," said Meissner, "We can turn away; we can dilute the integrity of the definition; or we can find a way to introduce more flexibility into our law and policy." Her proposal is to create a special humanitarian status of "Class II refugees," similar to designations that already exist in Canadian and Australian programs. Class II refugees would not be required to meet the individual "well-founded fear of persecution" definition, but would rather be admissible on more general, but still compelling, humanitarian grounds.

In Meissner's proposal, Class II refugees would be included in the admissions ceilings established in the annual consultations, but would be eligible for "limited special benefits that are less than those accorded Class I refugees."

"Creating another category of refugees as I have proposed should not be seen as a way to increase the total annual number of refugee admissions," said Meissner. "It is instead a way to achieve a mix that would more nearly approximate the actual makeup of refugee populations around the world today."

Update

° President Reagan extended Most Favored Nation trading status to Romania on June 2, despite expressing reservations about continuing human rights violations in the country. A White House statement said that Reagan thinks "it is better to direct our efforts to improving conditions that arouse our concern than to abandon the principal means of influence we now have and walk away."

The administration move has been opposed by some members of Congress. On April 30, an amendment to the omnibus trade bill passed in the House of Representatives by a 232-183 vote that would suspend Most Favored Nation status to Romania for six months. Rep. Frank Wolf (R-Va.), who introduced the House amendment, was described to Refugee Reports by an aide as "very disappointed" by the President's action.

Administration sources have argued that there has been greater latitude on the part of Romania for emigration because of Most Favored Nation status (see Refugee Reports, Vol. VII, No. 1).

° The President is expected to sign the $9.4 billion supplemental appropriations bill (H.R. 1827) for this fiscal year, which Congress approved July 2. The bill includes $137 million for the Immigration and Naturalization Service (INS), money INS officials have said is required to implement fully the Immigration Reform and Control Act. The final appropriation falls $10 million short of the INS request.

° According to a report from the Caribbean news service, CANA, the government of Belize may soon ask the United Nation High Commissioner for Refugees (UNHCR) to end its presence in the country. The June 9 report said the government is also considering ways to "restrict the number of Central American migrants into Belize." No confirmation of the report was available.

° UNHCR and the government of Honduras have agreed to cooperate in "the development of a national refugee program under the mandate of UNHCR." Among the terms agreed to in the memorandum of understanding are the recognition by Honduras of its responsibility to grant asylum or temporary residence "particularly to those who have a well-founded fear of being persecuted," and UNHCR's agreement to "collaborate in seeking global solutions" to resettle refugees in third countries. UNHCR will also cooperate with the Honduran refugee commission, CONARE, in "improving the infrastructure" of the refugee camps.

The memorandum was signed June 3 in Geneva by High Commissioner Jean-Pierre Hocke, and Honduran Minister of Foreign Affairs, Carlos Lopez Contreras.

° A new private organization has been established, the U.S. Association for International Migration (USAIM), whose primary objective is to support the work of the Intergovernmental Committee for Migration (ICM). ICM, an intergovernmental agency funded by 33 governments, is concerned primarily with resettlement processing and transportation for refugees and migrants. Sen. Alan K. Simpson (R-Wyo.), ranking minority member of the Senate refugee subcommittee, and Rep. Peter W. Rodino (D-N.J.), chairman of the House Judiciary Committee, have been elected as co-chairman of the board. The USAIM board of directors also includes Sen. Paul Simon (D-Ill.), also on the Senate refugee subcommittee, and Rep. Hamilton Fish, Jr., (R-N.Y.), the ranking minority member of the House Judiciary Committee, who also sits on the House refugee subcommittee.

Among other concerns, the board gave "high priority to exploratory programs to find innovative solutions to the problems of resettling displaced persons, political detainees and refugees in Central America." An ICM report on the reception of Salvadorans deported from the United States has been a controversial subject of congressional debate (see Refugee Reports, Vol. VIII, No. 6).

- The State Department's Bureau for Human Rights and Humanitarian Affairs (BHRHA) has announced a new policy with respect to advisory opinions on asylum applications. The policy requires the bureau to make greater efforts to remain neutral in its determination of whether a person has a well-founded fear of persecution and in providing background information. A Department official said, "The result should be that our advisory opinions will be less conclusionary than they may have sounded in the past."

- Since the beginning of the year, more than 900 Cambodian "displaced persons" have left the camps of Site 2 and Site 8 on the Thai-Cambodian border and travelled north to the "comparatively model camp" of Site B, according to a July report in the Far Eastern Economic Review. So far, 879 Cambodians have made the trek from Site 2 to Site B, compared to 619 for all of 1986. Site B, with a population of about 47,000, is administered by the followers of Prince Norodom Sihanouk.

"One main reason the new arrivals from Site 2 give us for leaving is that they can't stay because of the insecurity there," said Kun Kim Teng, a Site B administrator. Site 2 has been plagued with internal security problems for some time, and on May 29 the camp was hit by Vietnamese artillery fire. Seven people, including two children, were killed and 19 others were wounded. Site 2's population of 150,000 is under the administration of the Khmer People's National Liberation Front (KPNLF), an anti-communist resistance group.

According to the article, only about 30 people have "escaped" from Site 8 and other camps controlled by the Khmer Rouge, a communist faction whose four-year rule of Cambodia led to the deaths of at least one million people. "I think 95 percent of families in Site 8 want to leave but they can't escape," said one arrival.

Recent Developments

PUBLIC HEALTH SERVICE PUBLISHES NEW RULES ON AIDS TESTING FOR REFUGEES AND IMMIGRANTS

The Centers for Disease Control (CDC) of the U.S. Public Health Service recently published a final rule identifying AIDS (acquired immune deficiency syndrome) as a "dangerous contagious disease." As such, refugees, immigrants, and applicants for permanent resident status will be considered inadmissible to the United States if they are diagnosed as having AIDS. This rule, published in the June 8 Federal Register, became effective July 10.

AIDS joins a list of excludable medical conditions that includes infectious leprosy, active tuberculosis, and chancroid, as well as infectious syphilis and other sexually transmitted diseases. Other grounds for medical exclusion, as outlined in the Immigration and Nationality Act, include certain mental conditions, drug addiction, and chronic alcoholism.

In the same Federal Register, CDC published a far more controversial proposed rule that would substitute human immune deficiency virus (HIV) infection for AIDS on the list of dangerous contagious diseases. The change is warranted, according to CDC, because "all persons with AIDS have HIV infection," and "any person infected with HIV, with or without clinical manifestations of AIDS, is assumed to be capable of transmitting the virus."

HIV infection can be transmitted by sexual contact, the sharing of intravenous needles, and blood transfusions. Infected mothers can also transfer the virus to their infants at birth.

"The distinction between the two rules is an important one," said Charles Kamasaki of the National Council of La Raza. The final rule requires that a medical examiner establish a diagnosis only "if there is a clinical suspicion of AIDS," according to the CDC. The proposed rule, on the other hand, "would establish a testing requirement," said Kamasaki, that would apply to all refugees, immigrants, and applicants for legalization.

The proposed CDC rule requires that an alien must show a negative result in a test for HIV antibodies in order to obtain a permanent or immigrant visa, or to be admissible as a permanent resident of the U.S.

"There is no public health rationale that supports the proposed rule," said one government official, who declined to be identified. "And there is a distinct possibility of threatening the elemental concept of first asylum" for refugees, he added. Relatively few refugee applicants are likely to test positive, he said, but "if the Americans walk in and say 'We're going to start testing,' that will make everyone nervous. First asylum countries may start thinking about repatriation."

A voluntary agency source told Refugee Reports that, while AIDS is a dangerous contagious disease, it differs from the others on the CDC list in one key aspect: it can neither be cured nor rendered noncontagious. A refugee determined to have AIDS or HIV infection will therefore never be admissible to the United States, the source said, unless a cure is found some time in the future. The burden, perhaps a permanent one, then falls on the first asylum countries to care for these individuals. A host government's initial, reluctant tolerance for refugees might quickly turn to fear and hostility, given the high fatality rates of AIDS and the stigma attached to it.

"Time is what is most needed," the voluntary agency official told Refugee Reports, "to think about the political and humanitarian implications." Time may be in short supply. The Senate recently adopted a legislative amendment offered by Sen. Jesse Helms (R.-N.C.) that would require implementation of HIV testing by August 31. "We are playing with dynamite," said the government official, "with a very short fuse."

STATUS OF POLES, NICARAGUANS, SALVADORANS SUBJECT OF DEBATE, CONFUSION

The future for Salvadorans, Nicaraguans, and Poles currently living in the United States remains open to question as various Reagan administration officials continue to issue, or leak to the press, contradictory statements about its policy regarding the withholding of deportation for these nationals.

These reports have suggested both conflict between the Departments of State and Justice--as in considering whether to withhold deportation of Salvadorans and Poles--as well as conflict within the Justice Department itself--as in the case of Nicaraguans.

The first in a series of mixed signals from the administration came in May, following a request by Salvadoran President Jose Napoleon Duarte that the United States not deport Salvadorans. The Christian Science Monitor reported that a "senior State Department official" sent a letter to Attorney General Edwin Meese III asking him to honor Duarte's request by granting extended voluntary departure (EVD) to Salvadorans (see Refugee Reports, Vol. VIII, No. 5). EVD is a temporary stay of deportation granted to specific nationality groups at the discretion of the Attorney General. However, the State Department subsequently recommended against EVD for Salvadorans and said earlier press reports were "in error."

Then, on June 18, despite press reports of a State Department recommendation not to renew EVD for Polish nationals, the Justice Department did just that--extending their EVD status to December 31, 1987.

Without commenting directly on the recommendation, a State Department official told Refugee Reports, "The Department of State's role is advisory only." He added, however, that "Poland is without political prisoners and it is unlikely that those who return will face arrest."

The next development occurred on June 27, when the Washington Post, citing Justice Department sources, reported that the administration would offer Nicaraguans a special legal immigration status. Three days later, John R. Bolton, assistant attorney general, sent a letter to Rep. Peter Rodino (D-N.J.), chairman of the House Judiciary Committee, which said, "The [Justice] Department's position on EVD for Nicaraguans is unchanged." A week later, however, on July 8, the Attorney General issued an announcement which was widely reported in the press as a "special immigration policy" for Nicaraguans.

A Justice Department spokesman told Refugee Reports, however, that the announcement was "fundamentally" a restatement of current immigration laws--laws that apply to members of all nationality groups.

The spokesman did make clear, however, that Nicaraguans will likely receive special consideration from INS officials as a result of the Attorney General's statement. Nicaraguans will be encouraged to apply for asylum, and to have their claims reconsidered if previously denied. While their claims are being reviewed, they will receive work authorization quickly.

When asked why Nicaraguans were being singled out for this kind of attention, the spokesman said, "It is obvious to us, at least, that people who are fearful of being deported to Marxist, totalitarian countries are more likely to establish a well-founded fear of persecution than those from a country with a democratically elected government."

Members of Congress Question Administration Policy on EVD These often contradictory statements and press reports have fueled congressional debate concerning the administration's policies.

In reacting to the July 8 announcement concerning Nicaraguans, Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate refugee subcommittee, remarked, "I basically think it's a rather phony document."

Sen. Alan K. Simpson (R. Wyo.), ranking minority member of the refugee subcommittee, and frequently an administration ally on EVD issues, said that he did support the case-by-case review of asylum claims for Nicaraguans implied in the announcement, but added that he had not been involved in preparing the statement.

In the House, Rep. Joe Moakley (D-Mass.), the sponsor of a bill for the temporary withholding of deportation for Nicaraguans and Salvadorans, termed the Attorney General's July 8 statement as "bureaucratic double-talk." He said, "It is a self-serving attempt to neutralize Nicaraguan support for legislation which would offer both Nicaraguans and Salvadorans a more generous and fair status."

Moakley agreed with Kennedy's assessment of the announcement that, in actuality, "the situation for Nicaraguans today is no different than the situation for Nicaraguans yesterday."

He also said that by ignoring any mention of Salvadorans, the administration had turned "a cold and callous shoulder on thousands of refugees who have fled a violent civil war."

Some Nicaraguans Apparently Confused by the Announcement Press reports about the Attorney General's announcement led many Nicaraguans to call voluntary agencies for advice about whether to apply for asylum, legalization, or some other remedy, according to voluntary agency sources. Many Nicaraguans assumed they were receiving EVD, these sources said.

Monsignor Nicholas DiMarzio, Director of Migration and Refugee Services for the U.S. Catholic Conference, told Refugee Reports that he viewed the announcement as an "effort to undercut support for the DeConcini-Moakley bill." He called it "an attempt to portray a set of basically pre-existing procedures as a 'new' policy."

Congressional Debate Focuses on Moakley/DeConcini Bills The occasion for many of the congressional criticisms of administration policy has come at hearings for the two bills pending in congressional committees that would offer a temporary stay of deportation for Salvadorans and Nicaraguans.

At the June 30 House Judiciary Committee mark-up of Moakley's bill, H.R. 618, Rep. Lawrence J. Smith (D-Fl.) charged that "the administration has no policy" with respect to EVD.

Rep. Romano L. Mazzoli, chairman of the House refugee subcommittee and the lone Democrat on the Judiciary Committee to vote against EVD for Salvadorans and Nicaraguans, said he was "disconcerted that the administration is contemplating favorable handling of Nicaraguans" after turing down Salvadorans.

The Moakley bill passed the House Judiciary Committee on June 30 by a vote of 20 to 15. In addition to Mazzoli, all Republican members cast "no" votes. The bill now goes to the House Rules Committee, the final step before reaching the House floor. A floor vote is expected during the last week in July, according to congressional sources.

(continued on pg. 10)

ABRAMS AND MOAKLEY DISCUSS EVD

At the June 17 House rules subcommittee hearing on the bill to suspend deportation of Salvadorans and Nicaraguans, Rep. Joe Moakley (D-Mass.), subcommittee chairman, and Elliot Abrams, assistant secretary of state for inter-American affairs, entered into a discussion on extended voluntary departure (EVD):

Moakley: President Reagan, in his letter of May 21, asked Secretary Shultz to bring to the urgent attention of the Justice Department the matter of avoiding the sudden return of...undocumented Salvadorans in the United States.

Has the State Department taken any action?....

Abrams: Well, we have had a number of discussions...with people at the Justice Department about this.... We would like to find a way to offer whatever protection is needed, including protecting El Salvador from the return of large numbers of immigrants...without doing what we don't want to do, which is the granting of EVD to everybody who was here as of the end of last year....

Moakley: ...Is there any outside chance that the State Department may aggressively pursue any kind of temporary suspension in the near future, as far as Salvadorans or Nicaraguans are concerned?

Abrams: I don't think that there would be--I don't think you can count on any kind of administrative action coming prior to the time that this legislation is likely to be finally considered....

Moakley: I am kind of puzzled by the administration's posturing on [EVD]. The foreign policy issues are extremely puzzling to me. On one hand, the President refers to Nicaragua as a "totalitarian dungeon"...then he rejects the proposal... to grant [EVD] to Nicaraguans.

Now, in the case of Poland, if my information is correct,...the State Department has recommended to the Justice Department that the EVD be eliminated for Polish refugees in the United States, and I find that this is somewhat astounding from the State Department, which is known for documenting the human rights violations of the communist Polish government.... Can you straighten me out on this?

Abrams: ....It is a generally unsatisfactory situation. I mean, you are pointing out anomalies and contradictions, and you are right.... That is why...there is this question of whether there needs to be some kind of change in the law, I think.

We don't agree with the exact change that you have proposed, but I think a lot of us are thinking about what changes might be useful, because you end up in these situations where you don't want to encourage lots of immigration, you don't want massive returns of people to places where there is no place for them.

You don't want to create a worse situation than there already is, and in a lot of these cases, it is pretty bad. The law doesn't permit you to do exactly what you want to do, when you try to force it into one category or another that doesn't quite exactly fit; the case of Nicaragua is a very good example. We don't want to encourage people to leave their homes; on the other hand, we don't want to send people back to a country, given our view of the government, as you described it.

So, we are caught. Because the realities of the lives people are leading and the pigeonholes of the law don't exactly fit together, and so you describe a situation which is not logical and sensible, and in many cases, is not humanitarian, humane either. I think your description is accurate.

A Senate version of the bill, S. 332, introduced by Sen. Dennis DeConcini (D-Ariz.), which, as yet, includes only Salvadorans, is scheduled for mark-up by the Judiciary Committee on July 15.

Naturalization Bill for Poles Weighs on EVD Debate Representatives also debated whether temporary withholding of deportation would result in beneficiaries eventually remaining permanently in the United States. Rep. Daniel E. Lungren (R-Ca.) warned, "Those granted EVD are never sent home."

Mazzoli added, "It is inevitable that a naturalization bill will be introduced for them [Nicaraguans and Salvadorans--if the bill becomes law], as with the Poles."

Mazzoli was referring to a bill introduced by Rep. William O. Lipinski (D-Ill.) to allow Polish nationals who have lived in the United States since the EVD cut-off date to adjust to permanent resident status.

Tom Yazdgerdi, a legislative assistant to Lipinski, said that the bill, H.R. 2692, was similar in principle to Cuban and Haitian adjustment acts. He estimated that between 7,000 and 10,000 Poles could benefit from its provisions.

Sen. Paul Simon (D-Ill.) has introduced a companion bill, S. 1424, in the Senate.

SHULTZ PROMISES CONTINUED U.S. COMMITMENT TO INDOCHINESE REFUGEES

Secretary of State George P. Shultz told Southeast Asian foreign ministers meeting in Singapore last month that the United States will continue to resettle "substantial numbers" of Indochinese refugees. In return, he said, the first asylum countries in the region "must reconfirm their commitment to humanitarian treatment of all seeking asylum."

In a June 18 speech before the Association of Southeast Asian Nations (ASEAN), Shultz said, "It has become clear to all of us that the refugee problem in this part of the world is an enduring one, and we must realize that solving it will be a long-term process." The ASEAN countries--Thailand, Malaysia, Indonesia, Brunei, Singapore, and the Philippines--had issued a joint statement several days earlier expressing "grave concern and serious dissatisfaction" at the continued influx of refugees from Cambodia, Laos, and Vietnam.

The ASEAN communique called resettlement in other countries "the appropriate solution," since local integration was "not a viable option." There are close to 138,000 Indochinese refugees in first asylum camps throughout the region, and an additional 260,000 Cambodian "displaced persons" in Thailand. ASEAN urged the resettlement countries "not to reduce their intake or to impose conditions which would make resettlement more difficult."

"I want to reassure you," Shultz told the ASEAN ministers, "that the commitment of the United States to resolving the Indochinese refugee problem is as strong today as it has ever been." He said he was "very pleased" to have received a letter from four U.S senators shortly before he left for Singapore, expressing bipartisan support for the refugee program. The letter, signed by Sens. Alan K. Simpson (R-Wyo.), Edward M. Kennedy (D-Mass.), Mark O. Hatfield (R-Ore.), and Claiborne Pell (D-R.I.), said that "broad support remains strong within Congress for the continued and active involvement of the United States in addressing the protection, assistance, and resettlement needs of refugees throughout Southeast Asia."

Shultz Meets With Thai Foreign Minister Shultz also met separately with Thailand's foreign minister, Sitthi Sawetsila, to discuss refugee concerns. With more than 370,000 refugees and displaced persons in 16 camps around the country, Thailand's refugee burden is by far the heaviest in the region. Vietnamese boat arrivals in the first four months of 1987, moreover, were the highest in five years, according to the UN High Commissioner for Refugees (UNHCR). From January to April, 2,800 "boat people" arrived in Thailand, almost 1,300 more than the same period in 1986.

According to Thai press accounts of the meeting, Sitthi urged the United States to continue to resettle large numbers of Hmong, a Laotian hilltribe group and U.S. ally during the Indochina conflict. The United States will resettle about 8,900 Hmong in FY 87, but more than 57,000 remain in Thai refugee camps. Sitthi reportedly assured Shultz that Hmong asylum-seekers will be allowed to enter the screening process established by Thailand to identify people with legitimate claims to refugee status. He also requested U.S. assistance in persuading Laos to take back the people who are "screened out" and denied entrance to refugee camps.

ASEAN, Senate Letter Call for Attention to Root Causes of Refugee Flows The ASEAN comunique signalled regional agreement on "the urgency for increased efforts towards solving the [refugee] problem at its source," namely Vietnam. The statement urged Vietnam to cooperate with UNHCR and the resettlement countries to revive the Orderly Departure Program (ODP), which has allowed more than 120,000 Vietnamese to emigrate legally since 1979. The U.S. ODP program has been in jeopardy since Vietnam suspended interviewing of new U.S cases in January 1986.

The United States should press for "greater diplomatic activity between ASEAN and the Indochinese governments, particularly Vietnam," the senators' letter stated, "in order to deal with the 'root causes' behind the continuing refugee problems in the region." Hatfield, along with 14 other senators, has introduced a concurrent resolution in Congress to establish "technical resolution offices" in both the United States and Vietnam to address a range of humanitarian issues. They include "the fullest possible accounting" of American POW/MIAs, release of political prisoners, rejuvenation of ODP, and the resettlement of Amerasians.

"For more than 10 years, Vietnam...has been exporting its human misery," said Singapore Foreign Minister Suppiah Dhanabalan in an interview with the Straits Times. The continued refugee outflow, he said, "is not a natural development. It should not be taken as the normal order of things and we must put a stop to it."

"The whole resolution of the refugee problem," said Hatfield, "turns on U.S. involvement in the diplomatic process, not as bystanders dealing with the symptoms, but as activists working toward the solutions."

BIA SETS FORTH STANDARD FOR DETERMINING ASYLUM

The federal Board of Immigration Appeals (BIA), which has jurisdiction to hear appeals on asylum and deportation cases from immigration judges and Immigration and Naturalization Service (INS) district directors, has recently had to revise its standard for granting asylum in light of the Cardoza-Fonseca Supreme Court decision (see Refugee Reports, Vol. VIII, No. 3).

The Supreme Court decision overruled the BIA position that the legal standards for granting asylum and withholding deportation are the same. The BIA had held that the standard used to determine eligibility for withholding deportation--a "clear probability" of persecution--was not meaningfully different than the standard used in the granting of asylum--a "well-founded fear" of persecution. The Supreme Court, on the other hand, found the two standards to be "significantly different."

Although the Supreme Court ruled that a "well-founded fear" differs from "clear probability" of persecution, it did not attempt to define "well-founded fear," leaving a more concrete definition to the process of case-by-case adjudication.

The new BIA articulation of the "well-founded fear" standard came in just such an individual adjudication, involving a husband and wife applying for asylum from Iran. In this case, the husband cited an argument he had with a student-employee in the Iranian Interests Section in Washington, D.C. when he went to renew his documents. In the course of the altercation, the applicant said that he accused the staff at the Interests Section and members of the regime of being "religious fascists stuffing their pockets with the nation's wealth." He said that he was chased out of the Interests Section at gunpoint.

BIA Chooses "Reasonable Person" Approach

The June 12 BIA decision reviewed how the various U.S. circuit courts of appeals have defined a "well-founded fear." The BIA cited the seventh circuit in the Carvajal-Munoz case to the effect that the applicant actually must have been the victim of persecution or must have some other good reason to fear being "singled out" for persecution. The seventh circuit also held that uncorroborated testimony would be insufficient unless it is "credible, persuasive, and points to specific facts" giving "good reason to fear that he or she will be singled out for persecution."

The BIA cited the ninth circuit in the Diaz-Escobar case, which held that "the alien prove his fear is subjectively genuine and objectively reasonable."

In its own approach, the BIA chose to follow the lead of the fifth circuit decision in the Guevara Flores case, which held that "an alien possesses a well-founded fear of persecution if a reasonable person in her circumstances would fear persecution if she were to be returned to her native country."

In adopting the fifth circuit "reasonable person" approach, the BIA said. "A reasonable person may well fear persecution even where its likelihood is significantly less than clearly probable."

While acknowledging that the Supreme Court "effectively overruled" the BIA decision in Matter of Acosta that had held a "well-founded fear" of persecution to be the same, in practical terms, as a "clear probability", the BIA nevertheless said that "much of our decision remains intact, and good law." In particular, the BIA maintains that the four elements set forth in the Acosta decision that an asylum applicant must show in order to establish a "well-founded fear" are still valid (with the exception of one word--"easily" in point 2 below). Those requirements are that:

1) the alien possesses a belief or characteristic a persecutor seeks to overcome in others by means of punishment of some sort;
2) the persecutor is already aware, or could easily become aware, that the alien possesses this belief or characteristic;
3) the persecutor has the capability of punishing the alien; and
4) the persecutor has the inclination to punish the alien.

BIA Rejects Asylum for Aliens Fleeing Civil Strife The BIA noted that aliens who establish a well-founded fear of persecution will not necessarily be granted asylum. The applicant must also show that the fear of persecution would be on account of race, religion, nationality, membership in a particular social group, or political opinion. "Aliens fearing retribution over purely personal matters, or aliens fleeing general conditions of violence and upheaval in their countries, would not qualify for asylum," the BIA said.

Applying the new well-founded fear standard to the case of the Iranian asylum seeker, the BIA found that he "clearly expressed his political views at the Iranian Interests Section and his opinions were extremely derogatory to the regime in power." The BIA went on to say, "In this case, a reasonable person in the respondent's position would fear that his opposition to that regime has become known to those who are both in a position, and who have the inclination, to punish him for it." The BIA granted the Iranian man and his wife asylum.

Projects and Programs

ACADEMICS USE REFUGEES AS SOURCES OF INFORMATION ABOUT HOME COUNTRIES

Gaining access to many refugee-producing countries is often difficult or impossible for Western scholars and researchers. Gathering data about the recent history, politics, economics, and society in many communist countries is particularly difficult. Yet these same countries produce many refugees now living in the United States who are only recently being approached as a valuable source of information about the nature of these societies.

Two major academic projects have now identified and begun to make use of two recent significant refugee populations: refugees from Southeast Asia and from the Soviet Union. Both have already produced important scholarship, shedding light on the life the refugees left behind.

Interview Project Examines Soviet Society
A five-year research project at the University of Illinois at Urbana-Champaign involving structured interviews with 2,793 systematically selected Soviet emigres is providing U.S. social scientists with new insights into Soviet society.

The Soviet Interview Project, funded by the National Council for Soviet and East European Research under contract with the U.S. State Department, has already yielded important information that in some instances contradicts popular perceptions about Soviet attitudes. For example, the research has shown that younger people are more critical and more alienated from the tenets of the Soviet system than their elders, a finding that differs from what is known of earlier generations of Soviet youth.

Despite the assumption that people who opted to leave the Soviet Union would be strongly negative toward that society, the data have revealed that in many respects respondents were satisfied with Soviet life. "We were most surprised at the positive statements about life in the USSR," James R. Millar, director of the project, told Refugee Reports. "We found that 67 percent of the respondents were satisfied with the standard of living and that 52 percent gave the strongest possible support to state provision of medical care."

Millar said that the willingness of the emigres to endorse some aspects of Soviet society, while sharply criticizing others, is an indication that the survey is a valid measure of Soviet attitudes.

The researchers took great pains to determine bias and compensate for it to get a reasonably accurate picture, according to Millar. The refugee population, after all, does not represent a typical cross-section of Soviet society. It is educated, urban, and 80 percent Jewish. It is also a self-selected group of people sufficiently dissatisfied with the USSR to leave.

To begin with, the researchers recognized that they would not be able to generalize about the USSR as a whole, but rather about "adult Europeans living in medium and large cities of the USSR." They then focused their questioning on the respondents' "last normal period" of life in the USSR. Such a focus, according to Millar, avoids "confusion caused by the trauma many emigrants experienced prior to leaving the Soviet Union in the form of loss of jobs, educational placements, housing or other privileges."

To reduce the bias inherent in the emigre population, the researchers oversampled respondents who were less educated, less skilled, and less urban. The researchers were also able to compare Jewish and non-Jewish responses. The three-hour interviews included direct questions about ethnic identity and ethnic experiences, such as discrimination.

Papers utilizing the refugee data base have already been published on such topics as Soviet criminal justice; work and politics in Soviet cities; the use of intimidation in Soviet politics; the life course of Soviet women; management policy in Soviet firms; inequality of earnings; and ethnic relations, among others.

Refugees Recall Life in Southeast Asia

Since the U.S. withdrawal from Vietnam in 1975, access to Vietnam, Laos, and Cambodia has been severely limited to Western scholars wishing to learn about these societies. As a consequence, the Social Science Research Council established the Indochina Studies Program to provide grants to academic projects that would utilize refugees. Largely funded by the Ford Foundation, grants were awarded to researchers using refugees as informants through interviews, recording and analysis of oral or ritual performance, life histories, language, and art.

Not only will the researchers now participating be able to use the data for their projects, an arrangement has also been made with the Library of Congress to collect and archive all of the research of the grantees. Hundreds of tapes, interviews, and field notes will be made available for future generations of researchers.

Many of the researchers themselves are Southeast Asian refugees. In fact, the majority of applicants for grants have been Southeast Asians. "Many of them, especially the Vietnamese, were academics before they came here," said Mary Byrne McDonnell, program associate with the Indochina Studies Program. "They didn't have good jobs--one had been working in a grocery store; another, as a hairdresser--now they are more plugged into the academic network here."

Whether themselves refugees or not, the researchers must also account for bias on the part of their subjects. "The more the topic is seen as political or as having a bearing on current politics, the harder it is," said Marshall Hurlich, a grantee from the University of Washington, who is doing a research project on the history of Hmong migration patterns over the past 6 to 7 generations.

"There is a very strong tendency for the Hmong to reinterpret history according to present political needs," he said. Hurlich developed a system of group and individual questioning to iron out ambiguities and inconsistencies. He also made a point of interviewing common people as well as the leaders, and found the common people "not as subject to propaganda and without so much at stake politically in the present."

Researchers Need to Establish Trust with Refugees Hurlich also said that it was essential to build up trust with his subjects. This was done by helping them to solve specific resettlement problems. "Throughout this work, I've been a friend when I can, helping with immigration, schooling, making contacts for people."

Some of the Southeast Asian researchers run into more intractable problems. Thuan Truong, doing a project on the politicization of the Vietnamese trade union movement in the 1970s, told Refugee Reports, "The topic is very sensitive. People just say the things you already know."

The situation is further complicated for Truong, because as a Vietnamese refugee himself, he was a political actor in Vietnam during the period he is now trying to approach objectively as a scholar.

Truong said the use of refugees would be more successful on noncontroversial subjects, but that people won't talk otherwise. "People are happy to talk about how Vietnamese cooking differs from Chinese cooking," he said, "but when you get specific, and ask about corruption in Vietnam, about Thieu and Ky, most go into the shadows."

Truong's approach is not unlike Hurlich's. "You need to approach your subject a number of times, to establish trust, and make him more at ease with you."

Both Truong and Hurlich volunteered that they found many refugees reluctant to talk about matters because of past association with the CIA. Hurlich could make little headway in questioning Hmong about areas involving CIA activity. Truong said that many of those involved in Vietnamese trade union activities had some connection with the CIA as well, and that "it is too hard for them to get clearance to release interviews."

Project Analyzes Impact of Khmer Rouge on Cambodian Language John Marston and Sotheary Duong are working on a project in which they are trying to assess how the Cambodian language changed under the Khmer Rouge. In their home base of Minnesota where both researchers are known to the Cambodian community, people, for the most part, spoke openly about their experiences. However, when the researchers traveled to California to conduct interviews, they found more reticence. One man, who had been tortured by the Khmer Rouge, withdrew the interview after giving it. "The more severe the hardship, the more reluctant people are to go public about it," said Marston.

Marston said that they would describe specific situations, such as having to ask a Khmer Rouge group leader for something, and have people tell them what they would say. They also asked refugees directly to tell them new words and grammar under Pol Pot. They are now analyzing written materials from the Khmer Rouge period.

Many of the research projects are cultural or linguistic in nature, where bias is less of a problem. Such projects include Vietnamese ethnomusicology; patterns of design in white Hmong tapestries; Cambodian court dancing; and Lao Buddhist customs of birth, courtship, and marriage. However, many of the projects are clearly political in nature, especially, it seems, among the Vietnamese. While such projects can be very revealing, researchers agree that they are often the most difficult to conduct.

Current Research

EFFECTS OF TRAUMA ON CAMBODIAN WOMEN REFUGEES INCREASE OVER TIME

With the passing of time, Cambodian women who experienced trauma are likely to experience increased bouts of depression, anxiety, headaches, sleeplessness, and nightmares, according to a new research report.

The finding that the psychological effects of trauma do not decrease over time, but may actually grow worse, suggests, according to the report, that "once the immediate relocation crises of housing and employment are settled, memories of the traumas of the refugee experience begin to surface, haunting survivors for years afterward."

The most common complaint from the Cambodian women who responded to the survey was of headaches (49 percent), followed by depression, anxiety, and sleeplessness.

Among younger women, ages 15 to 25, anxiety was the most frequently reported health problem. They cited frequent moves, divorce, and problems with child care as sources of concern. Although citing the same concerns, women aged 26 to 35 were more likely to report depression, headaches, and nightmares.

Women between the ages of 36 and 45 reported a higher incidence of traumatic life events, including deaths of family members, sexual assault, and witnessing torture and murder. They reported language problems, lack of money and jobs, and homesickness as their major resettlement concerns. Women over the age of 46 were more likely to be widowed and to have been sexually assaulted. They report more general health problems, and cite housing and language as resettlement concerns. They are also the most likely age group to have experienced assault or robbery in this country, the study found.

The report, "Health Issues for Cambodian Women: Needs Assessment Summary," by Candace Waldron, was based on a survey of 92 Cambodian women in the Boston area in 1986. As a result of the research findings, the Massachusetts Department of Public Health has developed a Cambodian Women's Health Project to set up self-help support groups for Cambodian women, advocacy, information, and referral.

For more information about the project or the report, contact Davy Um Heder, project coordinator, Cambodian Women's Health Project, Division of Family Health Services, Massachusetts Department of Public Health, 150 Tremont Street, Boston, MA 02111. (617) 727-7222.

Reader Exchange

"WALK FOR NEW AMERICANS" RAISES FUNDS FOR MAINE PROGRAM

On April 6, Peter Marbach set out on foot from Springer Mountain in Georgia bound for Mount Katahdin in Maine, 2,100 miles and 14 states away on the Appalachian Trail. Volunteer resource coordinator for the Portland, Maine Refugee Resettlement Program, Marbach hopes that his five-month walk will raise $100,000 for job training and mental health programs.

The money raised by the "Walk for New Americans" will be used to secure temporary housing for at least 60 of the 700 refugees expected to resettle in Maine in the next two years. Some funding will also be used for counseling, outreach, advocacy, and emergency programs.

For more information, or to send a contribution, contact: The Walk for New Americans, Refugee Resettlement Program, 107 Elm Street, Portland, Maine 04101. (207) 871-7437.

Resources

LAWYERS COMMITTEE REPORTS ON HUMAN RIGHTS IN POLAND

The Lawyers Committee for Human Rights has recently published Repression Disguised as Law: Human Rights in Poland. The 110-page report reveals a pattern of laws that, in effect, institutionalize the harshest features of martial law which, officially, has ended.

The report charges that "the hallmark of [the regime's] repression has been a systematic effort to mask continuing rights violations behind a veneer of normality." The report documents a pattern of beatings and murder of people in police custody.

The report is available for $8 from the Lawyers Committee for Human Rights, 36 W. 44th St., Suite 914, New York, NY 10036. Please include catalogue number EE-6, and $1.50 for postage and handling.

KIT GIVES CANADIANS TIPS FOR REFUGEE ADVOCACY

The Toronto Coalition for a Just Refugee and Immigration Policy has produced an educational kit on Canadian refugee and family reunification policy. The kit, Borders and Barriers, is divided into five sections, including a question-and-answer guide, historical background, refugee testimonials, analysis of Canadian refugee policies, and action strategies.

To order, send $7.50 to the Jesuit Refugee Programme, 947 Queen St. East, Toronto, Ontario M4M 1J9. (416) 469-1123.

ACTUAL REFUGEE ADMISSIONS TO THE U.S. AND CEILINGS ON REFUGEE ADMISSIONS, FY 75-87
(As of May 31, 1987)

	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83a/	FY 84b/	FY 85b/	FY 86	FY 87	TOTAL
AFRICA						955	2,119	3,326	2,648	2,747	1,953	1,315	1,131	16,194
(CEILINGS)						1,500	3,000	3,500	3,000	2,750	3,000	3,500	3,500	
ASIA	135,000	15,000	7,000	20,574	76,521	163,799	131,139	73,522	39,408	51,960	49,970	45,454	19,916	829,263
						169,200	168,000	96,000	64,000	52,000	50,000	45,500	40,500	
EASTERN EUROPE	1,947	1,756	1,755	2,245	3,393	5,025	6,704	10,780	12,083	10,285	9,350	8,713	5,389	79,425
						5,000	4,500	11,000						
SOVIET UNION	6,211	7,450	8,191	10,688	24,449	28,444	13,444	2,756	1,409	715	640	787	1,002	106,186
						33,000	33,000	20,000	15,000	11,000	10,000	9,500	10,000	
LATIN AMERICA	3,000	3,000	3,000	3,000	7,000	6,662	2,017	602	668	160	138	173	49	29,469
						20,500	4,000	3,000	2,000	1,000	3,000	3,000	4,000	
NEAR EAST AND SOUTH ASIA						2,231	3,829	6,369	5,465	5,246	5,994	5,998	6,138	41,270
						2,500	4,500	6,500	6,000	5,250	6,000	6,000	8,000	
UNALLOCATED RESERVE													4,000c/	
TOTAL	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440	33,625	1,101,807
						231,700	217,000	140,000	90,000	72,000	70,000	67,000	70,000	

a/ From FY 83 on, the Eastern Europe ceiling was combined with the ceiling for the Soviet Union.

b/ This chart shows the adjusted regional ceilings that were established at mid-year consultations in FY 84 and FY 85. The overall annual ceilings did not change.

c/ For the first time, the FY 87 admissions ceiling includes an unallocated reserve for "contingent refugee admission needs," to be used only after consultation with Congress, and only to the extent that private sector funding is available to support admissions using the reserve.

NOTE: Figures in shaded areas represent annual ceilings.
Source: Bureau for Refugee Programs/U.S. Department of State.

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VIETNAM PERMITS ODP INTERVIEWING TO RESUME

In a surprise development, the government of Vietnam agreed last month to permit interviewing of new applicants to the long-disrupted Orderly Departure Program (ODP). The ODP was instituted in 1979 to provide a safe and legal avenue for Vietnamese to leave the country for resettlement elsewhere.

First reports about the decision were sketchy; a Vietnamese government official declined immediate comment, and then could not be reached by Refugee Reports prior to press time.

However, according to U.S. State Department sources, Immigration and Naturalization Service (INS) and consular officers will begin interviewing applicants in Ho Chi Minh City in coming weeks. Their presence there will mark a change, since interviewing used to be done by Bangkok-based Joint Voluntary Agency (JVA) staff on assignment in Vietnam under UN High Commissioner for Refugees (UNHCR) auspices. The new arrangement will obviate the need to forward case files to Bangkok for final review, a sometimes complicated and often time-consuming procedure.

Sources are hopeful that the streamlined processing will strengthen communication between governments and help avert snafus like the one which caused Hanoi to suspend interviewing of new cases in January 1986. Both governments then operated disjointedly as Hanoi's rate of issuing exit permits exceeded U.S. administrative capabilities. Ultimately, Vietnam complained that 22,000 Vietnamese whom it had cleared for exit and who had been interviewed under the program were stuck in a U.S. processing limbo.

Speculation varies over what brought about the end of the suspension. According to several sources, the fact that the United States has completed the processing of its stalled Vietnamese ODP caseload is a possible reason for Hanoi's action. They say there are only a "few thousand" applicants with unresolved cases, while approximately 90 percent of the others have won approval from the United States.

But a knowledgeable diplomatic source suggested that Vietnam may have wanted to preclude the complete shutdown of the ODP since the program is one of Hanoi's few links to the United States at a time when it is clearly interested in having normal Vietnamese/U.S.

IN THIS ISSUE:

The on again/off again Orderly Departure Program appears to be on again. We examine unresolved issues, such as exit permission for political prisoners and Amerasians....1

- Update................5
- Recent Developments

House committee approves FY 88 funding for 55,000 refugee admissions--or less; Nicaraguans in Florida react to Attorney General's announcement; Salvadoran/Nicaraguan nondeportation bill passes House; Salvadoran granted asylum, despite lying to INS; Possible Salvadoran death squad activities in Los Angeles; INS proposes to require cash bonds; Suspension of most-favored-nation status for Romania included in trade bill...............8

- Meetings and Conferences
- Reader Exchange......16
- Resources............16
- Statistics

Legal Departures from Vietnam for Countries of Resettlement June 1979 to June 1987.....20

relations. Only U.S.-bound applicants who had been seen before 1986 have used the program during the last eighteen months, and U.S. State Department sources foresaw their depletion by fall.

Still, the Vietnamese decision surprised many. Until quite recently, officials in Washington spoke hesitantly about ODP negotiations which have been held sporadically since last year. Now, they project new cases leaving Vietnam within the next couple of months. Hanoi has already turned over the names of 4,000 persons with exit permits to U.S. officials who are said to be studying their cases. The United States, on the other hand, has submitted its own list of candidates for ODP departure. Details about the U.S. submission were unavailable, however.

Although ODP has remained functional, exits have slowed (see chart p. 20). While the U.S. processing backup has been a chief complaint of Vietnamese authorities, similar but smaller problems arose in the systems of other countries which, like the United States, take legal emigrants from Vietnam under UNHCR auspices. The diplomatic source cited earlier speculated that those tie-ups and the fact that Vietnam has been reorganizing the administration of its emigration policies may be the reasons behind decreases in non-U.S. departures. But it appears that even those exits are due to rise. For example, Tom Ryan, a Canadian official who oversees a national "family reunification program" with Vietnam--Canada's version of the ODP which has resettled more than 25,000 people--told Refugee Reports that his government has been given the impression by Hanoi that the reunification program is now "back on track."

Major Questions Left Unresolved Although many observers were encouraged by reports that the interviewing suspension has ended and that the governments of Vietnam and the United States appear to be considering more efficient ODP procedures, the ODP remains far from robust as an emigration mechanism. Apparently, no formal new agreements have been worked out between Hanoi and Washington, and the course of further negotiations remains unclear.

Moreover, a number of major questions are unresolved, not the least of which is how governments expect to agree on the basic caseload for the ODP. Up until now, Vietnam has been less than forthcoming about who has access to the program. One well-informed source in Southeast Asia contends that cumulative departure statistics suggest that Hanoi is making the ODP available mainly to ethnic Chinese, an unwanted population in Vietnam. Also, there is no sign that the anticipated revival of the ODP will significantly affect the fate of persons whom the United States claims are processing priorities. They include family reunification cases; political or so-called "reeducation prisoners" in Vietnam; and Amerasian children, sons and daughters of U.S. servicemen and their Vietnamese partners.

Reportedly, the vast majority of the 672,000 persons in the ODP computer file at the U.S. embassy in Bangkok represent reunification cases. In recent years, the United States has been criticized for increasingly treating ODP applicants as immigrants. Critics charge this disqualifies those who want to leave Vietnam because they fear persecution and bogs down the eligible refugees in the creaky bureaucratic engine that is immigration processing.

"This new policy has the effect of separating rather than reunifying families," Karl Zukerman, a spokesman for InterAction, an association of 108 U.S. private and voluntary organizations, told Congress on June 30.

Movement of Reeducation Prisoners Still Stalled Meanwhile, virtually no reeducation prisoners are emigrating via the ODP. Hanoi first offered to release inmates to Washington in 1982--approximately 8,000 are still believed held--but reneged when the United States said it could not guarantee that those freed would refrain from anticommunist activities. On July 14, the Washington Post quoted an unnamed diplomat predicting that Hanoi might release some prisoners "who would arouse interest in the West...over the next few months as part of an openness campaign," but U.S. officials and human rights advocates told Refugee Reports they had no basis to believe the account.

Reportedly, the visit of special U.S. envoy Gen. John W. Vessey, Jr. to Vietnam in early August failed to inject the issue with

U.S. ORDERLY DEPARTURE PROGRAM STATISTICS*

	ODP Arrivals in U.S. Oct. 1986 - May 1987	Cumulative ODP** Refugee Arrivals in U.S.	Cumulative ODP** Non-Refugee Arrivals in U.S.	Cumulative** Total ODP Arrivals in U.S.
No Subprogram Classification	3,247			
From RPC FY85 - Present		17,586	125	17,711
Prior to October 84*		15,659	7,900	23,559
Regular Subprogram				
Family Reunification	2,466	2,359	8,963	11,322
Former USG Employees	3	20	0	20
Others	7	35	0	35
Subtotal	2,476	2,414	8,963	11,377
Asian American Subprogram				
Amerasian Children	45	383	159	542
Accompanying Relatives	32	247	145	392
Subtotal	77	630	304	934
Re-Education Camp Subprogram				
Former Re-Ed Prisoners	20	23	93	116
Accompanying Relatives	80	80	245	325
Subtotal	100	103	338	441
TOTAL	5,900	36,392	17,630	54,022

* Chart based on U.S. State Department statistics.

**The ODP was created in 1979. However, significant arrivals to the United States did not begin until the early 1980s. These figures reflect cumulative ODP U.S. arrivals since its inception through May 1987.

any momentum. Vessey's primary goal was resolving the question of Vietnam-era American servicemen believed imprisoned or reported missing in action, but the former Joint Chiefs of Staff chairman was also prepared to discuss reeducation prisoners, Amerasian children, and the ODP itself, according to U.S. officials. Several lawmakers, including Sens. Claiborne Pell (D-R.I.), chairman of the Senate Foreign Relations Committee, and Edward Kennedy (D-Mass.), chairman of the immigration subcommittee, actively encouraged Vessey to take up such matters with Vietnamese authorities, while the Senate passed a resolution urging similar action. However, the New York Times has since quoted Vietnamese Deputy Foreign Minister Nguyen Dy Nien as saying that the reeducation prisoners were not discussed during Vessey's visit.

Most Amerasians Remain in Vietnam According to the paper, though, Nguyen also said the Amerasians were discussed and may be the topic of separate talks "in the near future." Yet, one well-informed source expressed frustration with the ministry official's forecast, noting that Hanoi has inexplicably shown no interest in addressing the subject of the children since last fall. At that time, the United States agreed to negotiate the Amerasians' fate bilaterally and thus, apart from the ODP, an arrangement Hanoi had long sought.

Time--something which social workers say works against the neglected, fragile identities of Amerasians left behind when the war ended--continues to accrue. Some 10,000 to 15,000 are still believed left in Vietnam, with the very youngest in their early teens. Only 41 arrived in the United States via ODP during the first eight months of FY 87.

After Congress passed weak Amerasian legislation in 1982, the U.S. State Department resorted to using the ODP as a means for admitting the children. But the Amerasians and the ODP have never mixed well. Vietnam has always chafed at the idea that Amerasians are accorded refugee status and at the processing strictures the children encounter under the program. Meanwhile, the United States, though happier with the ODP Amerasian component, has been worrying about fraudulent "family members" whom it suspects of tagging along with the children.

Even at the peak of their departures, Amerasians were leaving too slowly in the opinion of advocates.

New Amerasian Legislation Introduced

Some movement is afoot again in Congress to remedy this. Rep. Robert J. Mrazek (D-N.Y.) introduced the Amerasian Homecoming Act (H.R. 3171) on August 6 that would, among other things, permit Amerasians in Vietnam and their family members to come to the United States as immigrants eligible for federal refugee benefits, unbound by admissions ceilings and unbarred by certain grounds for excludability. Rep. Thomas J. Ridge (R-Pa.) cosponsored the bill. Sens. Dale Bumpers (D-Ark.) and John McCain (R-Ariz.) introduced identical legislation in the Senate (S. 1601).

Noting that the Amerasians are "the moral responsibility of the United States," Mrazek told a Washington press conference that he hoped to get the legislation passed this year, and estimated it would cost as much as $20 million if all the Amerasians and family members eligible under the bill emigrate.

Responding to a question from *Refugee Reports*, Mrazek added that $5 million in beginning funding would be "new money" and not drawn from other refugee accounts, and he expressed confidence that further costs would be covered by supplemental appropriations. On August 6, the House Appropriations Committee approved the additional $5 million earmarked for Amerasian processing (see Recent Developments).

The U.S. State Department Bureau for Refugee Programs is reportedly raising objections that the proposed legislation would be a federal "budget buster." The Amerasian bill Congress passed in 1982 provided virtually no funds, a factor which helped make the measure ineffective.

Conditions in Vietnam Debated The announcement about the ODP was not the only news coming from Vietnam recently. The *Washington Post* ran a July series which focused on an atmosphere of reform, openness, and tolerance which has reportedly been spawned in the country since national leadership changes occurred several months ago.

"Vietnamese officials and Western diplomats...agreed that the changes...are driven mainly by a desperate need to rescue the country's failing economy," *Post* correspondent Keith B. Richburg observed, drawing upon a two-week visit to Hanoi, Ho Chi Minh City, and surrounding provinces.

However, the U.S. State Department, as well as groups such as Asia Watch and Amnesty International, remained unimpressed by such assessments.

"We are not aware of any significant changes that would give us any reason for optimism," U.S. State Department Bureau for Human Rights spokesman Thomas Murphy told *Refugee Reports*. Murphy contended that essentially the same type of government rules that was described in a 1985 U.S. State Department report on Vietnam. That document charged that "once the communists solidified their control, they immediately suppressed all vestiges of personal identity, individual expression, and thought. Even today, those who resist the State's rigid control risk losing their lives."

U.S. officials also took pains to characterize Vessey's visit as a humanitarian mission, and not a step toward establishing diplomatic relations between the two countries, something Vietnam is known to want. Yet, according to the *New York Times*, Vietnamese officials expect to open talks with the United States on Vietnamese problems stemming from the Vietnam War, a topic which U.S. officials have avoided so far.

In addition, the *Post*, as well as network news broadcasts, reported a new Vietnamese openness toward expatriates who are interested in returning home for visits. A U.S. State Department source claimed no knowledge of interest on the part of Vietnamese in the United States in such trips, but Canadian government spokesman Ryan said he was getting "a lot of calls from people interested in returning."

Vietnamese Boat Arrivals Continue Despite the news about liberalizations, people still escape from Vietnam in significant numbers, with some asylum countries such as Thailand and Malaysia seeing sharp increases in boat arrivals.

Through the first eight months of FY 87, escape boats landed at a pace slightly faster than last year's, when a total of 20,592 boat people arrived in various Southeast Asian countries. Observers disagree about exactly how the ODP interviewing morator-

Amerasian girls in the Philippine Refugee Processing Center, Bataan, look forward to life in the United States. Paul Tanedo

ium affected boat flows, but at least concede that it could only have fueled interest in escapes.

According to a well-informed diplomatic source, 83 percent of 72 boats that arrived in Thailand in June bore passengers who knew of the ODP, but chose to escape illegally. Significant numbers of heads of families, he indicated, felt they were either unqualified for the ODP, saw the waiting period for the program as unreasonable, or were unaware of ODP procedures.

Update

° Death squad activities have resumed in El Salvador, according to Amnesty International. In mid-April, the body of Antonio de Jesus Hernandez Martinez, secretary general of the National Association of Agricultural Workers, was found near San Luis de la Reina. His body showed signs of torture, Amnesty International reported.

On June 15, the Brigada Maximiliano Hernandez Martinez, one of El Salvador's most notorious death squads, issued a list of university teachers and students and announced that unless they left the country within two days they would be executed.

Also in mid-June, three peasants were brought to the Rosales Hospital in San Salvador with deep machete gashes, caused, they alleged, by soldiers of the Fourth Infantry Brigade who, they said, detained and tortured them during interrogation.

° Honduras has requested the United States to resettle nearly 30,000 Nicaraguan refugees now in Honduran refugee camps, according to the July 15 Miami News. Leo Valladares, senior advisor for refugees and human rights in the Honduran Ministry of Foreign Affairs, reportedly made the request of American officials during a visit to Washington, D.C.

Valladares reportedly said, "Have no doubt about it. To the extent that we can, we will give them all to you."

State Department refugee officials told Refugee Reports that they were unaware of the request. Places for 1,000 non-Cuban refugees from Latin America had been included in the regional ceiling for refugee admissions at the beginning of the fiscal year. Thus far, only 30 Nicaraguan refugees have been approved for U.S. admission, all of whom came from Costa Rica.

Ramiro Figueroa, deputy chief of mission at the Honduran embassy in Washington, D.C., told Refugee Reports that no formal proposal was made to the United States, but rather that discussions were held with the United States and other countries requesting both assistance and resettlement.

Figueroa also expressed concern about the future of the contras in his country in the event that U.S. aid to them is cut. He said, "They are not welcome in Honduras. They represent an armed political group, which is a social problem for us."

In the meantime, the August 12 Christian Science Monitor reported "a spate of recent clashes between Hondurans and Nicaraguan refugees." Those incidents included an attack by a group of refugees on a Honduran landowner who had detained a refugee in a dispute over firewood. In response, the Honduran military placed armed guards around the refugee camp near Jacapeapa, a town about 50 miles from the Honduran capital.

° On July 21, the House of Representatives approved a proposal that would allow Cuban political prisoners who had spent any time in Cuban jails to be admitted to the United States as refugees.

The proposal, passed as an amendment to the FY 88 and 89 State Department authorization bill, would broaden current policy, which only admits former long-term political prisoners who had spent at least 10 years in Cuban prisons.

° Governor George Deukmejian of California has vetoed an extension of the state bilingual education law, which will likely result in less foreign language instruction in California schools. The governor's action will allow local school districts to decide how to educate students with limited English skills (see Report Reports, Vol. VIII, No. 1).

The bilingual education law, which expired on July 1, had required a bilingual teacher for every class having 10 or more students who do not speak English.

In a related development, United Teachers-Los Angeles, a 7,000-member teachers union, voted August 11 against bilingual education, and in favor of predominantly English instruction known as "immersion", in a nonbinding referendum. Los Angeles, with 159,000 limited-English-proficiency students, has had the largest bilingual education program in the United States.

° An immigration efficiency bill, H.R. 2921, was introduced on July 13 by Rep. Romano L. Mazzoli (D-Ky.), chairman of the House subcommittee on refugees, immigration, and international law. Among other things, the bill would remove the current one-year waiting period for refugees to be admitted as permanent residents. Refugees would be accorded permanent resident status immediately upon admission, according to provisions of the bill. The bill would also require the Immigration and Naturalization Service (INS) to release on bond or parole aliens in deportation and exclusion proceedings, unless they pose a danger to the community or are likely to abscond. The bill, if approved, would clarify congressional intent that detention of aliens in INS proceedings is for these purposes only.

Since 1981, INS practice has been to detain all aliens arriving without proper travel documents and to allow parole only for "emergent reasons" such as serious medical conditions or when their release would be deemed in the "public interest" by the Attorney General.

The bill is similar to a measure that passed the House last year (see Refugee Reports, Vol. VII, No. 10).

° On July 13, Rep. Mazzoli also introduced a "temporary safe haven" bill that would specify grounds for granting extended voluntary departure (EVD) status. According to the bill, H.R. 2922, aliens could be authorized to remain temporarily if they meet any of three criteria: 1) physical danger due to armed conflict; 2) environmental disaster; or 3) U.S. national interest, taking into account international, humanitarian, and immigration concerns. The bill is cosponsored by Patrick L. Swindall (R-Ga.) and Hamilton Fish, Jr. (R-N.Y.), ranking minority member and member, respectively, of the House subcommittee on refugees, immigration, and international law.

In introducing the bill, Mazzoli said that EVD has "the shakiest of legislative foundations," is decided by an "utterly mysterious" process, and that EVD decisions are "neither publicized nor accompanied by an explanation of how and why they were made." He said, "It is my hope that if a generic bill of the type we are introducing today is enacted into law there will be no need in the future for this body to consider legislation like H.R. 618 [the Moakley/DeConcini bill]." (See Recent Developments and Resources.)

° A peace accord signed by India and Sri Lanka on July 29 included a provision calling for the repatriation of Tamil refugees in India. More than 125,000 Tamil refugees are believed to be living in India. The U.S. Committee for Refugees called upon both governments to invite the UN High Commissioner for Refugees (UNHCR) to monitor and assist in any voluntary repatriation program. USCR Director Roger P. Winter issued a statement saying, "In the absence of an international presence by UNHCR in both India and Sri Lanka, Tamil refugees are, in effect, denied a voice in deciding their fate."

° On July 12, a boatload of 174 Indians, most of whom were Sikhs, landed in Canada seeking refuge. The arrival of the Sikh asylum seekers, believed to have transited via the Netherlands, has contributed to a public backlash towards asylum seekers, according to observers. "Ninety-nine percent have said, 'Send them back,'" Immigration Minister Benoit Bouchard was quoted as saying. Parliament was recalled from its summer recess August 11 into emergency session in order to consider special legislation to restrict access of asylum seekers (see Refugee Reports, Vol. VIII, No. 6).

° On July 30, Rep. Don Ritter (R-Pa.) introduced House Concurrent Resolution 169 which would express the sense of Congress that President Reagan should establish a "defector pipeline" for Soviet soldiers in Afghanistan. The resolution calls upon the administration to admit Soviet POWs and defectors from Afghanistan and grant them political asylum in the United States. Resolutions do not carry the force of law.

° Amnesty International has reported the forcible return--refoulement--by Turkey of at least 10 cases of Iranian refugees during the past six months. The human rights organization announced June 18 that it believed the true number forcibly returned may be higher. AI reported knowing of "scores of cases of Iranians summarily returned to Iran by the Turkish authorities without their claim for asylum having been examined by the competent authorities, or by representatives of the UNHCR." AI noted that it has received reliable reports of about 400 such cases since October 1986.

° A number of prominent Soviet dissidents and refuseniks have recently been granted permission to exit the country. Danylo Shumuk, a 72-year-old Ukrainian writer, who had spent a total of 42 years as a political prisoner--under the governments of Poland, Nazi Germany, and the USSR--was released from prison this year and permitted to join relatives in Canada.

On August 6, Valdimir Feltsman, a renowned concert pianist, left for the United States after an eight-year wait. Feltsman is one of a growing number of Jews given permission to leave. In July, 807 Jews were allowed to leave the USSR, bringing the total so far this year to 3,899.

According to the Intergovernmental Committee for Migration (ICM), 236 of the Jewish emigres went to Israel, the highest monthly total since 1980.

On July 16, four Soviet Jews flew to Israel via Bucharest, Romania, the first Soviet Jews to use the Moscow-Bucharest route. Up until now, Soviet Jews have exited via Vienna, Austria. An Eastern European route for Soviet Jews has been advocated by Israel as a means of preventing would-be immigrants from "dropping out" and going to the United States rather than Israel (see Refugee Reports, Vol. VIII, No. 4).

° On July 2, the federal Board of Immigration Appeals (BIA) ruled that if a refugee fails to adjust his status a year after arrival and subsequently is convicted of a crime involving moral turpitude, he can be tried in exclusion proceedings. The case involved a 23-year-old Vietnamese refugee convicted of assault and first degree burglary who had failed to present himself to an immigration officer one year after arrival to be considered for lawful admission as an immigrant. Despite a five-year delay, the man was never notified to appear for examination for adjustment of status. "The obligation to return for inspection is...on the alien," said the BIA. The BIA noted that the refugee had said that the failure to notify him violated his constitutional right to due process. However, the BIA observed, "An alien in exclusion proceedings does not have a right to due process under the Constitution unless reentering as a permanent resident."

- In the first week of August more than 1,000 Vietnamese refugees from China arrived in Hong Kong in 23 boats, according to Reuters. Some 3,000 Vietnamese refugees resettled in China have arrived in Hong Kong so far this year, compared to 114 all of last year. The government of Hong Kong has called upon China to restrict the movement of Vietnamese refugees there and has announced that Vietnamese refugees arriving from China would not be considered for resettlement in third countries, Reuters reported.

Recent Developments

HOUSE APPROPRIATIONS COMMITTEE APPROVES REDUCED BUDGET FOR REFUGEES

On August 6, the House Appropriations Committee approved, by voice vote, a budget of $319.45 million for the Migration and Refugee Assistance portion of the State Department's FY 88 foreign assistance request. The approved amount, which is predicated on an FY 88 admissions level of 55,000, is $27 million less than that appropriated during FY 87, when the refugee admissions ceiling was set at 70,000.

Despite the reduction from last year, the amount appropriated was $5 million more than the administration requested. The additional $5 million is to be used for resettlement "processing costs" of Vietnamese Amerasians, contingent on passage of legislation for their "expedited resettlement" (see lead story).

The measure, H.R. 3186, also earmarks $25 million "to be used for the continuing increase in Soviet, Eastern European, and other refugees resettling in Israel." The administration requested $10 million for this purpose. According to a State Department source, "The overall impact of that earmark would be a $15 million reduction in nonearmarked funding."

Several voluntary agencies involved in refugee resettlement, fearing that reductions would fall on refugee admissions and assistance programs, wrote a letter on August 4 to Rep. Jaime L. Whitten (D-Miss.), chairman of the House Appropriations Committee. The letter said, "The combination of the level of funding and the earmarking... will endanger first asylum for refugees in Southeast Asia by forcing a curtailment of resettlement for an estimated 8,000 refugees, limit U.S. flexibility to respond to urgent needs of hundreds of thousands of refugees in Africa, including southern Africa, and potentially reduce care and maintenance of Afghan refugees in Pakistan."

Congressional earmarking was also criticized in a June 11 speech by Jonathan Moore, U.S. Coordinator for Refugee Affairs. "When earmarking is imposed on inadequate budgets," he said, "the odds increase for real shortages for refugees which do not get privileged treatment, and the specter of discrimination casts its shadow over the whole process."

The House measure now awaits a floor vote. The Senate has yet to consider foreign assistance appropriations. Congress returns from recess on September 9.

NICARAGUANS HOPEFUL, WAITING, FOLLOWING ATTORNEY GENERAL'S ANNOUNCEMENT

The mood of the Nicaraguan community in Florida is one of hopeful--and, at times, anxious--expectation, following a July 8 announcement by Attorney General Edwin Meese III that Nicaraguans with "a well-founded fear of persecution" would not be deported.

The Attorney General's announcement also called for the granting of work authorization to every Nicaraguan entitled to it and ordered that the process be expedited. The announcement also encouraged Nicaraguans whose claims for asylum had been denied to reapply under the more liberal standards of the recent Supreme Court decision in the Cardoza-Fonseca case. Meese further called upon the INS to "encourage and educate Nicaraguans who may be eligible for legalization under the Immigration Reform and Control Act to apply."

After the Attorney General's announcement, "Nicaraguans here were out celebrating, as might be expected," said Monsignor Bryan Walsh, director of Catholic Charities in Miami. Walsh said that prior to the announcement, the prospect of employer sanctions against those who hire undocumented aliens had created "an extremely serious situation for 70,000 men, women, and children with no means of support." He said that people were being dismissed from their jobs and beginning to feel desperate.

"The announcement averted a major crisis in this community," he said. Walsh added, however, that the community is still waiting to see how it will be implemented. "The announcement itself has eased the crisis," he said, "but whether the crisis will be solved will depend on its implementation."

Some in the Nicaraguan community are beginning to express impatience with delays in work authorization. "We are waiting for something concrete," said Martha Cardenal, president of Hermandad Nicaraguense, a nonprofit organization helping new arrivals from Nicaragua. "This is taking longer than we thought.

Cardenal said, "Nicaraguans who go to the Immigration and Naturalization Service (INS) for work permits are being turned away. They are not being given any indication of what to do."

A local Nicaraguan attorney, Nancy Rodriguez, told Refugee Reports that she is receiving 50 to 100 calls per day from Nicaraguans asking how to get work permits. She said that requests she had submitted for asylum interviews 8 to 10 weeks ago are only now being scheduled for interviews. She said that the INS office in Miami is understaffed.

Ligia Guillen, president of the Association of Nicaraguan Writers and Artists, said, "I have illegals in my office right now who don't know where to go for help."

These statements were disputed by Perry Rivkind, INS district director in Miami, who told Refugee Reports, "There is no avalanche here. We are reviewing asylum claims as we always have. I haven't heard of any backups."

Fees Present Problem for Many Nicaraguans

The Attorney General's announcement comes at a time when immigration counselors in the Miami area are proliferating, as a result of the new immigration law. Since the announcement, Nicaraguans have been approaching them for help to obtain work authorization. Inge Houston, a Nicaraguan staff writer with The Voice, a newspaper of the archdiocese of Miami, said, "A lot of offices claiming to process papers are springing up to exploit people, but the INS office is not ready and people are left hanging in the air."

Since Nicaraguans would still be required to file for asylum under the terms of Meese's announcement, several community leaders expressed concern about the fees still needed to file the asylum applications that could result in work authorization.

"Nicaraguans here illegally have no money for anything," said Guillen. "No money to pay lawyers to file asylum claims."

Critics Charge Situation Unchanged

Maritza Herrera, executive director of the Nicaraguan-American Foundation and president of the Nicaraguan Women's Civic Association, said that the Attorney General's announcement is "nothing special" and "business as usual." She said that much of the initial excitement about the announcement was due to misunderstanding and misinformation. She noted that the announcement does not define the term "qualifying" for purposes of obtaining work authorization. "I just went to the INS office last week with a person trying to get work authorization. They said, 'You have to be patient.'"

Lack of clarity about the announcement was also criticized on the floor of the House of Representatives by Rep. Claude Pepper (D-Fla.), whose district includes many Nicaraguans. "It is not clear," he said, "if the Attorney General's order is a restatement of current U.S. policy or if it is a new policy. It is not clear how it is to be implemented. In practice, it seems to be a mere restatement of current U.S. policy--demonstrate a well-founded fear of persecution or be deported."

Citing the case of a group of Nicaraguans in INS detention who were told by INS that they would not be released, Pepper said they were told that "the order is being considered by INS as a reaffirmation and strengthening of existing policy."

Pepper continues to see the need for a legislatively invoked stay of deportation and voted in support of the Moakley bill on

July 28. Unlike the announced position of the Attorney General, which would still require an individual finding that the alien has a well-founded fear of persecution before granting asylum, the bill before Congress would grant a temporary stay of deportation to all Nicaraguans--and Salvadorans--present in the country. Under the terms of the bill, a suspension of deportation would not in itself mean a grant of asylum, which brings more permanent status; those wanting the more secure asylum status would still have to have their cases individually determined (see Recent Developments).

Within the Nicaraguan community, the differences between the administration's position and that of the Moakley/DeConcini bill are not well understood. "A majority of Nicaraguans believe it is not necessary to fight for anything more," said Herrera, a supporter of the bill. "When I start talking to people, they say we already have [EVD] status."

# # #

As we were going to press, Refugee Reports received a copy of a memorandum from the INS central office to district directors and field offices. The cable gives instructions for implementing the Attorney General's announcement concerning Nicaraguans.

The memorandum says that Nicaraguans seeking work authorization must file for asylum. Persons filing non-frivolous asylum applications, the memorandum says, should be interviewed by INS district directors "as promptly as possible and work authorization should be granted for the period necessary to adjudicate the case." Employment authorization should not exceed one year. If interviews cannot be scheduled within 60 days, the memorandum says, employment permission should be granted immediately.

Motions to reopen or reconsider denied asylum applications should be accepted according to the new asylum standard articulated in the Supreme Court Cardoza-Fonseca case.

Persons in unlawful status who appear at INS offices seeking to file asylum requests, the memorandum states, "should have their claim adjudicated by the district director, and not be placed in deportation proceedings." Persons apprehended or applying for admission to the United States "shall be processed in accordance with existing regulations," the memorandum says.

Finally, the memorandum says that "no final order of deportation for a Nicaraguan shall be executed until the case is reviewed by Central Office."

BILL TO PREVENT SALVADORAN AND NICARAGUAN DEPORTATIONS PASSES HOUSE

A bill that would temporarily suspend deportations of Salvadorans and Nicaraguans passed in the House of Representatives by a 237-to-181 vote on July 28 . Similar legislation passed by a 9-2 vote in the Senate Judiciary Committee on July 15, and now proceeds to the Senate floor.

Lively debate on H.R. 618, the Moakley/ DeConcini bill, preceded the July 28 vote.

Rep. Daniel E. Lungren (R-Cal.), a prominent opponent of the bill, said that generalized conditions of violence are not a sufficient basis for such open-ended legislation. He said that nondeportation in the form of extended voluntary departure (EVD) would be granted to everybody under the bill, "irrespective of whether or not they would be the subject of violence or go into an area that is the subject of violence, no matter why they came here, as long as they got here before the effective date of the bill."

Lungren also said that El Salvador has been the second largest source of illegal immigration to the United States for more than 30 years and that the bill would undercut immigration control efforts under the newly enacted immigration law.

Another opponent of the bill, Rep. Hamilton Fish, Jr. (R-N.Y.), said that time has overtaken the need for the bill. "Statistics indicate that civilian deaths from indiscriminate violence have dropped significantly from 1980," he said.

Fish said, "Most areas in El Salvador are not unsafe and Honduras provides safe refugee camps open to all Salvadorans seeking haven." Fish spoke of a recent visit he made to Central America, and reported that thousands of Salvadorans in the Mesa Grande refugee camp in Honduras are demanding an early return to their country.

Moakley Cites Salvadoran Human Rights Violations The bill's sponsor, Rep. Joe

Moakley (D-Mass.), disputed Lungren's point that Salvadorans were largely economic migrants by citing Census Bureau statistics to the effect that the influx of Salvadorans to the United States has coincided with stepped up human rights violations in that country.

Moakley added that human rights violations continue in El Salvador, including targeted and, on occasion, indiscriminate killings from both the government and the guerrilla forces. He spoke of the resurgence of death squads (see Update), and further noted that as a result of the war and last year's earthquake, nearly 1 million Salvadorans have been displaced within the country.

He said, "Not all Salvadorans who leave their country come to the United States. Many thousands are in Mexico, Costa Rica, Belize, and Honduras. Many are living in prison-like refugee camps, and are not allowed to venture beyond the gates. They are forced to live like prisoners."

Rep. Bill McCollum (R-Fla.), on the other hand, said, "We are not having human rights violations of any significance in El Salvador." He said that rather than tell the world we think there is a problem down there, "We ought to be telling the world about how wonderful the democracy is indeed progressing in El Salvador."

Others questioned inclusion of both Salvadorans and Nicaraguans in the same bill. Rep. Don Ritter (R-Penna.) said, "I just do not see why we are lumping refugees from communist Nicaragua in the same bill with refugees from a budding democracy like El Salvador."

Rep. Rick Boucher (D-Va.) responded that "there is a well-reasoned symmetry in the bill--a symmetry which provides for equal treatment of Nicaraguan and Salvadoran refugees." He said the bill's strength is that it provides "equal treatment for those who have fled war and bloodshed in their homelands."

Another frequently raised point in opposition to the bill was that those genuinely fearing persecution can apply and receive political asylum. As the ranking minority member of the House subcommittee on refugees, Rep. Patrick L. Swindell (R-Ga.), argued, "Those who can prove their lives are endangered, can already apply for political asylum." He added, "The truth of the matter is...what has brought these people here is...jobs."

But supporters of the bill contended that the very reason the bill is needed has been the failure of the asylum process to treat Central Americans fairly. Rep. James M. Jeffords (R-Vt.) said, "Ideally, refugee cases should be reviewed on a case-by-case basis and the deserving ones granted political asylum. Unfortunately, other considerations seem to have crept into the review process for Salvadoran refugees."

Jeffords pointed out that so far this year, 3 percent of all Salvadoran requests for asylum have been granted, as opposed to 88 percent of Nicaraguan applications. He said that thousands of deserving cases have been denied, "leaving many individuals in an untenable position." Jeffords said that in view of the current situation, "we have no choice but to suspend deportation until there can be a thorough review of the applicability of EVD status."

COURT RULES AGAINST DEPORTATION OF SALVADORAN TORTURE VICTIM

The fact that a Salvadoran apprehended by the Immigration and Naturalization Service (INS) lied about his nationality to avoid deportation to El Salvador cannot be held against him as a basis for denying asylum and ordering his deportation, according to a July 14 ruling by the U.S. Court of Appeals for the Ninth Circuit.

Hugo Turcios, a medical student in San Salvador, was arrested by armed and uniformed officers of the Salvadoran National Police on July 20, 1977. He testified that he was beaten, choked with a wire, subjected to electric shocks, had a gun stuck in his mouth, and was threatened with death. He was forced to sign a blank page which he believed the police would use to create a false confession. During his imprisonment he was kept in a basement cell without light, clothes, or a blanket, and was given food and water only once every three days. He was not allowed to see his family. Turcios testified that from his cell he could hear the screams of other prisoners being tortured.

According to Turcios, he was never brought before a judge, but one midnight was taken by the police to the Guatemalan border and released. He reentered El Salvador to see his family and show them he was still alive and to get medical treatment. He obtained a passport and fled the country on March 7, 1978. He entered the United States illegally the same month. He was subsequently arrested by the INS three times, but told the immigration service that he was Mexican to avoid being deported to El Salvador.

Court Rules Credibility Not Necessarily Compromised by Having Lied In a decision upheld by the Board of Immigration Appeals (BIA), an Immigration Judge (IJ) had denied Turcios' asylum claim on the basis of a failure to establish his credibility. Turcios' lack of credibility was based in part on his admission that he had lied about his nationality by saying he was a Mexican and for his "repeated violations of the Immigration Laws."

The ninth circuit court ruled, however, that "Untrue statements by themselves are not reason for refusal of refugee status." The court said that examiners need to evaluate such statements "in the light of all the circumstances of the case."

In Turcio's case, the court held, "misrepresentations are wholly consistent with his testimony and application for asylum: he did so because he feared deportation to El Salvador."

The IJ had also placed great weight on the fact that Turcios returned to El Salvador and obtained a passport before fleeing the country. The IJ reasoned that if the government had wanted to rearrest Turcios, it would not have issued him a passport.

The ninth circuit determined, "The mere possession of a valid national passport is no bar to refugee status." In fact, the court said, issuing the passport would achieve the government's purpose in ridding itself of an opponent. The court reasoned, "The IJ presumed that a government that allows a person to leave will not persecute him, but persecutors may want to eliminate their political opposition by allowing them to leave."

The INS had argued that Turcios' application was insufficient because of a lack of corroborative evidence to support his testimony. The court, however, found that "Authentic refugees rarely are able to offer direct corroboration of specific threats or specific incidents of persecution." It stated that "an alien's unrefuted and credible testimony may be sufficient."

The ninth circuit said that Turcios testified in great detail about his arrest, torture, confinement, and release, and that his story was corroborated by the fact that he abandoned his studies and fled the country.

The court found that Turcios met the strict standard of a "clear probability of persecution" which prohibits the Attorney General from deporting Turcios to El Salvador.

While the court can prohibit deportation, a grant of asylum is still under the discretion of the Attorney General. According to a recent Supreme Court ruling in the Cardoza-Fonseca case (see Refugee Reports, Vol. VIII, No. 3), the Attorney General has the discretion to grant asylum according to the more lenient standard of a "well-founded fear of persecution."

The court remanded the asylum claim to the Attorney General in order for him to exercise his discretion, but offered its view that "Because Turcios has established a clear probability of persecution [for purposes of withholding deportation], he has also demonstrated a well-founded fear of persecution for purposes of asylum."

CENTRAL AMERICAN ACTIVISTS TERRORIZED IN LOS ANGELES

Salvadoran and Guatemalan refugees in Los Angeles, many of whom fled from death squad threats and attacks in their home countries, are now reporting being the victims of similar threats and intimidation here.

On July 7, Yanira, a Salvadoran activist, was kidnapped, tortured, and raped by men who questioned her about her political activities. She had received threatening phone calls in June.

On July 10, another Salvadoran activist, Mercedes Salgado, on her way to a press conference to denounce Yanira's kidnapping and torture, found her car windows smashed.

On the same day, Marta Alicia Rivera, one of the few Salvadorans to have received political asylum in the United States, in part because she was able to establish that she had been tortured there, received a death threat in the form of a letter which included a list of 11 activists and refugees targeted for death.

For the next week, members of the Salvadoran exile community in Los Angeles reported threatening phone calls, vandalism, written death threats, and being followed. These incidents included a death threat mailed to a priest, Father Luis Olivares, signed "E.M.1"--the initials for "escuadrone de la muerte" (death squad), which is how similar death threats to priests in El Salvador are signed.

On July 17, Anna Maria Lopez, a Guatemalan woman on the way to a meeting of the Guatemalan Cultural Committee at the First Unitarian Church in Los Angeles was abducted by men with Salvadoran accents, held for four hours, questioned about her activities, and warned to stop associating with Salvadoran activists.

City, Feds Investigating On July 23, Los Angeles Mayor Tom Bradley called upon the city council to offer a $10,000 reward for information leading to the conviction of those who have committed "apparently politically motivated crimes against Central Americans," according to a report in the Los Angeles Herald Examiner.

A number of law enforcement agencies are cooperating in the investigation of these incidents, including the FBI, the postal inspector, and several divisions of the Los Angeles Police Department, including the anti-terrorist division.

"We are pursuing a vigorous investigation," Lt. Dan Cooke of the LAPD told Refugee Reports.

Police, Victims, Mutually Suspicious Many of the groups and individuals who have been victimized have also been involved in political activities, such as the sanctuary movement, which have come under the scrutiny of local and federal law enforcement agencies. (See Refugee Reports, Vol. VIII, No. 6 for a discussion of FBI and INS infiltration of the sanctuary movement and political exile groups.) This has caused great suspicion of law enforcement personnel by some of these groups, particularly in southern California and the southwest.

"The police and the FBI in the past haven't been particularly sympathetic," said Christine Woodard, a member of the First Unitarian Church who works closely with the Guatemalan Cultural Committee. "Now we're in an awkward position asking for their help."

Woodard said that the First Unitarian Church, a center for political activism, especially for Central American groups, had previously been infiltrated by the police department. "People don't expect the police and the FBI to get to the bottom of this," she said.

The suspicions are mutual. Police spokesman Cooke told Refugee Reports that the police have often not been notified of these threatening incidents directly, but rather learn of them through press conferences. He said that in the first incident involving the rape and torture, the initial investigation included "no word of a political connection." Cooke said, "Not until a press conference was held two days later did we learn there was any political connection."

Cooke said, "This raises questions in our minds. What does all this mean? It could just be a fear of police from where they come from, but I hope they no longer have that." (See Refugee Reports, Vol. VII, No. 8 for a lead story on refugee-police relations, which examines the reluctance of refugees from other nationalities to report crimes to the police.)

In the meantime, Cooke said, "We have no idea whether the reports are factual, yet alone linked."

Linton Joaquin, executive director of the Central American Refugee Center (CARECEN) and Yanira's lawyer, said, "In general there hasn't been a long delay in reporting to the police."

He said that the refugees tend to report first to organizations such as CARECEN and are reluctant to talk to the police. When asked by Refugee Reports about Lt. Cooke's comment about the failure to notify the police of a political connection to the rape-kidnapping, Joaquin replied, "I don't think that's true."

Joaquin said that many refugees were fearful about reporting to the police because of their immigration status.

Cooke said, "We have not had that concern [of reporting undocumented aliens to the Immigration and Naturalization Service] for some time. We don't care one bit what a person's immigration status is--just whether they were the victim or witness to a crime."

Joaquin said, "To the extent the police show concern, that's what everyone wants. I think every opportunity to publicize their position [on not reporting to INS] is good."

Cooke added, "To us, a crime is a crime. We are concerned with the victims of crimes for whatever purpose, whether political or not."

Showing those political motivations, according to activists, is the key to finding the link that connects the incidents. "Often harassment is hard to nail down as politically motivated," said Woodard. "To an outsider it might look like an ordinary crime or a coincidence to be followed going home from a political meeting, but it doesn't seem that way to the refugees themselves."

Cooke said, "We just don't know the connections." He mentioned one incident in which the roommate of one of the people on the death list was chased by four men and shot from behind. He said, "We don't know if this happened because he was the roommate of someone on the death list, or just the victim of a standard crime."

CASH ONLY BONDS PROPOSED FOR RELEASE OF ALIENS IN INS DETENTION

The Immigration and Naturalization Service (INS) has proposed requiring the deposit of cash bonds for the release of aliens in deportation or exclusion proceedings, many of whom are asylum seekers.

The proposed rule, published in the July 1 Federal Register, would eliminate bonds backed by surety companies, and establish a cash bond system. Bonds for aliens in INS proceedings average about $2,500, according to immigration lawyers.

Low-income persons are generally released on "surety" bonds, whereby a surety or insurance company pledges to pay if the detainee absconds.

Their elimination would likely result in increased detention as well as increased "voluntary departure," according to lawyers knowledgeable in the field.

The INS says that the proposed rule would eventually prevent the loss of millions of dollars. The notice in the Federal Register said that many agents "seeking to make a quick dollar" would post bonds in one state for release of an alien in another state. Due in part to this practice of "long-arming," the INS says that it is owed $11.4 million in breached surety bonds.

"The failure of the present surety bond provisions to ensure alien appearance and minimize monetary loss to the government is clear," the INS charged.

Critics Say Rule Would Result in Increased Detentions Carlos Holguin, general counsel to the National Center for Immigrants' Rights (NCIR), said, "It is difficult to fathom why the INS cannot accept bonds backed by surety identical to that uniformly deemed sufficient by every other federal entity that requires bonds, including the federal criminal courts."

Holguin discounted INS claims about the significance of breached surety bonds. In a letter to the INS opposing the rule, the NCIR wrote, "It is our experience that many such bonds are deemed 'breached' only because the INS administrative apparatus for verifying the address or departure of bonded persons is grossly inadequate."

Roger Winter, director of the U.S. Committee for Refugees, noted that the rule would force many asylum seekers to remain in detention for prolonged periods of time, waiting the outcome of their claims.

In a letter to the INS, Winter wrote, "We suggest that a requirement to post cash bonds would force many asylum seekers to choose between the very real dangers of incarceration here and the dangers of return to a country where they fear persecution--a situation unacceptable from a refugee protection standpoint and demeaning as U.S. national policy."

The NCIJ is currently evaluating the feasibility of litigation to challenge the proposed cash bond requirement. The INS has said that if legal action is taken to enjoin the proposed rule, the present regulation would remain in effect.

ROMANIA MOST-FAVORED-NATION STATUS RAISES BROAD ISSUES ABOUT USE OF JACKSON-VANIK

Emigration from Romania continues to be substantial, according to testimony from Rozanne Ridgeway, assistant secretary of state for European and Canadian affairs, before a House subcommittee on July 30.

Although noting that the departure

process is usually lengthy and the procedures, harsh, Ridgeway said, "We have been able to mitigate some of the hardships for the applicants." According to the State Department, Romanian emigration figures for 1986 were 1,996 to the United States, 11,944 to West Germany, and 1,282 to Israel. Since the beginning of this year, the United States has received about 1,200 new approvals for persons qualified to enter the United States. Ridgeway said that there are about 3,000 names of people eligible to emigrate to the United States on the representation lists that the U.S. embassy in Bucharest regularly submits to the Romanian government.

Congress Threatens Suspension of Most Favored Nation Trade Status Although the numbers of people permitted to emigrate have been a relative source of satisfaction to U.S. policymakers, the human rights situation within Romania continues to cause concern.

In July, Amnesty International released a new report on human rights abuses in Romania, which documents consistent violations of rights to free expression, fair trial, and humane treatment. The Amnesty report also documents continuing persecution of would-be emigrants, citing, for example, the case of a father who, after being refused permission to take his seven-year-old son abroad for medical treatments, was arrested for trying to leave the country illegally.

Citing continuing human rights abuses in Romania, the House on April 30 and the Senate on June 26 passed amendments to the omnibus trade bill calling for a six month suspension of most-favored-nation (MFN) trade status to Romania. During the suspension, the President would be required to assess the status of religious liberty and political freedom in the country.

On June 2, President Reagan announced that he would renew MFN status to Romania for another year. He would be required to veto the entire trade bill, however, if the suspension is not to go into effect.

Suspension Would Expand Trade Criteria Beyond Jackson-Vanik Amendment The trade bill amendments have far-reaching implications, according to Ridgeway. MFN status was formally linked to emigration policies in the Jackson-Vanik Amendment to the 1974 Trade Act. Linking it to a broader set of human rights concerns beyond emigration, the government contends, would force it to terminate MFN altogether, causing the United States to lose leverage on emigration practices.

Ridgeway testified, "Whereas Jackson-Vanik focuses on emigration, these amendments apply a much broader standard which, in addition to emigration, specifies 'substantial progress in halting the persecution' of Romanian citizens 'on religious and political grounds' and the 'repression' of 'Hungarians and other minorities within Romania.'"

Ridgeway said that the new, broader criteria for MFN certification would make it difficult for the President ever to restore MFN to Romania. "Suspension under these terms could therefore be tantamount to outright termination of MFN," she said.

When asked whether congressional intent was to expand MFN criteria beyond emigration, an aide to Sen. Paul Trible (R-Va.), a leading advocate for MFN suspension, told Refugee Reports, "That's right."

Meetings and Conferences

° The Canadian Human Rights Foundation will hold a conference on Human Rights and the Protection of Refugees under International Law, from Sunday, November 29 to Wednesday, December 2 at the Universite du Quebec a Montreal.

The conference will feature discussion papers by international refugee law experts, including Barry Stein, Howard Adelman, Zia Rizvi, Guy Goodwin-Gil, Gervase Coles, and Julius H. Grey.

Full registration, before October 16, is $110. For further information, contact the Canadian Human Rights Foundation, 1980 Sherbrooke St. W., #340, Montreal, Quebec, Canada H3H 1E8. (514) 932-7826.

° The New York Association for New Americans is presenting a conference, "The Refugee Physician--In Search of Solutions," Sunday and Monday, November 8 and 9 at the New York Penta Hotel. For further information, contact NYANA, 225 Park Avenue South, New York, NY 10003.

° The third annual meeting of the Society for Traumatic Stress Studies will hold a conference, "A World View of Traumatic Stress: Similarities and Variations," October 23 to 26 at the Baltimore Marriott Inner Harbor.

The meeting will focus on similarities and differences in traumatic stress reactions and their treatment with regard to race, gender, nationality, and culture.

Pre-registration before October 1 is $150 for members, $210 for nonmembers. For further information, contact the Society for Traumatic Stress Studies, P.O. Box 2106, Dayton, OH 45401-2106.

° The "1987 Refugee Health Conference" will be held at Appleton, Wisconsin, September 23 and 24. Discussions will focus on the roles of bilingual health professionals and paraprofessionals, clinical and epidemiological updates on hepatitis B, and refugee children health services.

For further information about the content of the conference, call Tam Phan, director of the Wisconsin Refugee and Immigrant Health Program, (608) 267-9000. For information about registration and accommodations, call Kathie Wilkinson, (414) 733-8562.

Reader Exchange

° A new national organization of Central American refugees has been formed to represent the interests of Central American refugees living in the the United States. CARNET, the Central American Refugee Network, elected Roberto Alfaro, associate executive director of El Rescate in Los Angeles, as its president at a meeting July 4 and 5 in Washington, D.C.

The assembly included in its priorities promoting the right of Central Americans to seek refugee status and political asylum and supporting the Moakley-DeConcini bill (see Recent Developments).

For more information about CARNET, contact the Central American Refugee Center, in Washington, D.C. (202) 328-9799 or El Rescate, in Los Angeles (213) 387-3284.

Resources

REFUGEE POLICY GROUP STUDIES SAFE HAVEN

Decisions to grant safe haven--temporary protection against return to dangerous conditions, as opposed to a permanent grant of asylum--have been influenced more by short-term U.S. foreign policy goals and concerns about immigration impacts rather than by humanitarian factors, according to a study recently published by the Refugee Policy Group (RPG).

"Safe haven decisions have been ad hoc, politicized, and even, capricious," the report says. "The United States has not taken seriously its role as a country of first asylum, despite the presence of thousands of people claiming to be political exiles."

The 91-page report, Safe Haven: Policy Responses to Refugee-Like Situations, examines the mechanisms of safe haven decisions in the United States--with particular attention focused on extended voluntary departure (EVD). It also includes a survey of safe haven practices in other western, industrialized democracies.

The authors conclude that existing administrative decisions to grant or not grant EVD are insufficient. They call for a new safe haven law, to avoid having decisions made on a purely discretionary basis (see Update and Recent Developments). "There is a need for a mechanism recognized in statute," the authors contend, "separate from asylum and withholding of deportation, through which individuals and groups who do not meet the refugee definition can receive permission to remain in the United States because conditions in their home country will not allow their safe return."

While recommending a legislative approach, the RPG report recognizes the need for executive branch discretion. The report contends, however, that current practice, particularly regarding EVD, has "tilted too far" in this direction, and now is in need of legislative oversight.

In comparing the U.S. approach with that of Canada and European countries, the Refugee Policy Group noted the use of independent bodies by some other countries for more objective and humanitarian decision-making.

GRANTS OF EXTENDED VOLUNTARY DEPARTURE
(1960 to the Present)

Cuba	1960 to passage of the Cuban Refugees Adjustment Act, Nov. 2, 1966
Dom. Rep.	Oct. 18, 1966 to April 26, 1978 (for arrivals from April 1965 to June 1966)
Czecho.	Aug. 21, 1968 to Dec. 30, 1977
Chile	April 1971 to Dec. 1977
Cambodia	1975 to passage of the Indochinese Refugees Adjustment Act, Oct. 28, 1977
Vietnam	April 4, 1975 to passage of the Indochinese Refugees Adjustment Act, Oct. 28, 1977
Laos	July 9, 1975 to passage of the Indochinese Refugees Adjustment Act, Oct. 28, 1977
Lebanon	Feb. 12, 1976 (blanket EVD withdrawn, but INS directed to view individual cases "sympathetically")
Ethiopia	July 12, 1977 to Aug. 26, 1981, then reinstated from July 1982 to present for arrivals prior to June 30, 1980
Hungary	Dec. 30, 1977 to April 29, 1981
Romania	Dec. 30, 1977 to April 29, 1981
Uganda	June 8, 1978 to Sept. 30, 1986
Iran	April 1979 to Nov. 13, 1979
Nicaragua	July 3, 1979 to Sept. 28, 1980
Afghan.	Dec. 1980 to present
Poland	Dec. 1981 to present, for arrivals prior to July 21, 1984

Sources: Sharon Stephan, "Extended Voluntary Departure and Other Grants of Blanket Relief from Deportation," February, 1985. Congressional Research Service, Library of Congress, and David H. Laufman, "Breach of Faith: Political Bias in U.S. Refugee Policy Since the Refugee Act of 1980," unpublished manuscript.

The report suggests that an independent body could also act in the United States to balance the various criteria used in making safe haven decisions.

Safe Haven also recommends that the Bureau for Refugee Programs in the State Department and the Office of the U.S. Coordinator for Refugees should be involved in asylum and safe haven issues, and not be relegated only to refugee resettlement matters.

The report says there should be greater flexibility in safe haven decisions. Rather than blanket grants of EVD for a particular nationality, the authors suggest that case-by-case determinations would be more desirable in some instances.

In the event of mass influxes of people seeking safe haven, the authors write, "the United States could consider the establishment of camps or centers for people who should not be returned to their country." Noting this to be a controversial idea, the authors insist it could only be considered under extreme circumstances and as a temporary measure.

On the other hand, the authors reject the use of cut-off dates to minimize magnet effects (i.e., restricting safe haven to those who entered before a specific date). "Since safe haven is primarily a policy of no return," the report says, "it is inhumane to send people back to dangerous circumstances on the basis of their date of entry, if the latecomers will face the same problems upon return as those who came into the United States at an earlier time."

Safe Haven is available for $5.50, including postage, from the Refugee Policy Group, 1424 16th St., NW, Suite 401, Washington, DC 20036. (202) 387-3015.

REFUGEES FROM SURINAME, CHAD HIGHLIGHTED

Two issue briefs from the U.S. Committee for Refugees report on the flight of Surinamese Maroons to French Guiana and on pressure being exerted on Chadian refugees in western Sudan to repatriate.

The first report, "Flight from Suriname: Refugees in French Guiana," is based on a USCR site visit in January and February. The report says that there are widespread indications--including accounts of massacres of women and children--that the Maroons, as a group, are targets of Surinamese government persecution.

"The majority of people who have fled Suriname are unquestionably refugees," the report states, "and as such, they should fall under the protection of the United Nations High Commissioner for Refugees."

The other issue brief, "When Refugees Won't Go Home: The Dilemma of Chadians in Sudan," treats a group of refugees who, despite pressure to return, have thus far refused to do so. The paper discusses a series of measures taken by UNHCR that make their stay in Sudan more difficult.

The reports are available from the U.S. Committee for Refugees, 815 15th St., NW, Suite 610, Washington, DC 20005. (202) 667-0782. Please include $2 per issue brief for postage and handling.

VIETNAMESE REFUGEE AS HERO

While most post-Vietnam war novels have focused on the American soldier and his return home, a new novel, The Exile of Sergeant Nen, explores the Vietnamese soldier who cannot go home.

A waiter in Arlington, Virginia, Sergeant Nen lives with the memories of war, corruption, defeat, flight, but also with the challenge of a new life and his commitment to find an honorable way to live it. His desire to become independent is challenged by a web of characters--his relatives, his general--who want to pull him back. With dignity and courage, Nen makes his choice. In addition to capturing the feeling of exile and a picture, not altogether flattering, of the refugee community, the novel explores a man's struggle with duty, with obligations to family, to causes, and to the truth.

Written by Vietnam veteran Stephen Fleming, The Exile of Sergeant Nen is published by Algonquin Books of Chapel Hill and is available through local bookstores.

BOOK CHRONICLES CAMBODIAN REFUGEE RELIEF EFFORT

"Death. It seems like every part of my story ends in death. I'm sorry."

This is how one Cambodian begins his account of four nightmarish years under the brutal Khmer Rouge regime. Within 16 months of the Khmer Rouge takeover in April 1975, Seang M. Seng had lost his entire family to starvation and overwork.

When the Vietnamese invaded Cambodia in January 1979 and drove the Khmer Rouge into exile in Thailand, Seng returned to the capital city of Phnom Penh and went to work in a hospital. He had been a medical student in 1975, and the new regime was desperate for trained staff. Most of Cambodia's 600 doctors had been exterminated in the paranoid purges by the Khmer Rouge.

In November 1979, Seng made his way to the Thai border after hearing rumors that he would be sent to Russia or Vietnam for further medical training. He was one of the first to enter the new refugee camp called Khao I Dang, which would swell to a population of 150,000 within two months, making it, for a time, the second largest Khmer city in the world.

Years of Horror, Days of Hope: Responding to the Cambodian Refugee Crisis chronicles the massive international relief effort that was launched in 1979 to assist the 1.5 million Cambodians who sought food and shelter at the Thai-Cambodian border and the several million more displaced and hungry within the country.

The book, edited by Barry S. Levy and Daniel C. Susott, both physicians and public health specialists, collects observations, essays, and anecdotes by more than 50 participants in this effort: program administrators, volunteer workers, physicians, nurses, epidemiologists, nutritionists, sanitarians, disaster specialists, as well as refugees themselves.

"Do not make yourself indispensable. Keep a low profile. Examine your motives," suggests the coordinator of a medical training program for refugees. One of her primary tasks was the translation of the text, Where There Is No Doctor, into Khmer in order to foster Cambodian self-sufficiency in health care. A recurring and ironic note sounded by many of the authors, most of whom have health care backgrounds, is that there were too many doctors at the Thai-Cambodian border.

Frederick Cuny, an emergency operations advisor to the UN High Commissioner for Refugees, notes a survey undertaken shortly after the start-up of relief operations which indicated that about two-thirds of all expatriate personnel in the camps were with medical teams, "despite the fact that only an estimated 2 to 5 percent of the refugee population required medical assistance." Cuny adds that most of the attention was paid to surgical or curative medical care rather than on preventive measures, such as immunization, nutrition, sanitation, and health education.

A team of Harvard physicians visiting Thailand in early 1980 was critical that Thai and refugee health professionals and health workers were insufficiently involved in the delivery system, there were "essentially no programs in community mental health," and "the necessary change from relief to development planning was only beginning to take place."

Years of Horror, Days of Hope offers an account of the early and more hopeful days of the Cambodian refugee relief effort, when the needs were deeply human and overwhelmingly clear. Seven years later, the camps are still there, as are many of the needs.

The 370-page book is available in paper for $29.95, and in cloth for $55, from the Associated Faculty Press, Inc., 19 West 36th St., New York, NY 10018. (212) 307-1300.

RMC BIBLIOGRAPHY AVAILABLE

The Refugee Materials Center, set up by the U.S. Department of Education to help provide information for educators working with refugees, has issued an updated bibliography of refugee materials. The updated list includes resources received from December 1, 1984 through November 30, 1986.

To order a free copy of the bibliography, send your name, title, school or agency, mailing address, and phone number to the Refugee Materials Center, U.S. Department of Education, 10220 N. Executive Hills Boulevard, 9th floor, Kansas City, Missouri 64153.

COOKBOOKS BRING REFUGEE FLAVOR TO AMERICA

Whether encountered in exotic restaurants or in one's own kitchen, among the most noticeable contributions of refugees to American culture are the culinary secrets brought from their homelands.

Far Away and Downeast, recipes from the Maine refugee community, is a collection of recipes from Iran, Laos, Cuba, Poland, Vietnam, Cambodia, and Afghanistan. All proceeds from cookbook sales go towards refugee assistance in Maine. Cookbooks are available for $6.95, plus $1 for postage and handling, from the Refugee Resettlement Program, 107 Elm Street, Portland, ME 04101.

Also available is the Vietnamese Gourmet Sampler. This cookbook includes favorite Vietnamese recipes and a list of Vietnamese markets and restaurants in the Oregon area. This book is available for $2, plus $1.75 for postage and handling, from the International Refugee Center of Oregon, 1827 N.E. 44th Avenue, Portland, OR 97213.

To sample the tastes from another part of the world, Afghan Food and Cookery (Noshe Djan), by Helen Saberi, tells how to prepare Afghan meals. The illustrated cookbook is available from the University Press of Virginia, Box 3608, University Station, Charlottesville, VA 22903 for $10.95 paper, $15.95 cloth, plus $1.50 for postage and handling.

Also available from the University Press of Virginia at the above address is a collection of recipes from Laos prepared by Phia Sing, the late royal chef at the Palace of Luang Prabang. Traditional Recipes of Laos includes drawings, a bibliography, and an essay entitled "Lao Eating Habits and Attitudes to Food." To order, send $20 cloth, $15.95 paper, plus $1.50 postage and handling.

The Hmong gardeners in Minnesota's New Citizens' Hmong Garden Projects have collected their favorite recipes. To obtain a copy of the 54-page Hmong Recipe Cookbook, either stop by the Minneapolis/St. Paul farmer's market or send $4.50 to the First Presbyterian Church, 535 20th Avenue, North and South St. Paul, MN 55075. (612) 451-6223.

LEGAL DEPARTURES FROM VIETNAM FOR COUNTRIES OF RESETTLEMENT

Resettlement Countries	June-Dec 1979 Total	1980 Total	1981 Total	1982 Total	1983 Total	1984 Total	1985 Total	1986 Total	Jan.-May 1987 Total	Cumulative Total
United States	289	1,397	2,297	3,871	8,242	13,304	13,322	10,988	5,094	58,804*
Canada	58	341	1,601	1,946	3,253	7,623	5,837	2,373	861	23,893
France	591	1,806	2,231	2,150	2,229	1,618	1,394	801	127	12,947
Australia	112	41	63	184	904	2,776	2,087	2,856	651	9,674
Germany Fed. Rep.	392	333	1,180	629	1,678	1,733	1,148	564	91	7,748
United Kingdom	20	77	394	200	844	609	314	213	11	2,682
Belgium	280	226	643	359	448	333	137	77	3	2,506
Sweden	6	9	509	212	225	168	83	98	30	1,340
Netherlands	141	28	130	78	177	208	133	52	12	959
Norway	-	1	122	23	197	236	158	101	6	844
Switzerland	44	80	212	82	117	86	29	42	11	703
Italy	23	61	70	72	164	93	50	32	1	566
Austria	-	9	100	50	100	70	44	23	4	400
New Zealand	-	21	28	24	115	78	44	53	9	372
Denmark	2	1	47	22	74	54	32	37	19	288
Ivory Coast	5	67	26	19	39	60	5	12	9	242
Japan	-	25	35	23	32	21	16	46	16	214
New Caledonia	6	23	21	39	36	15	19	11	5	175
Hong Kong	7	77	22	11	18	11	7	-	-	153
Luxembourg	-	13	24	13	12	3	1	4	8	78
Finland	-	-	19	12	15	5	10	9	3	73
Greece	-	-	-	1	13	7	14	4	1	40
Ireland	-	-	-	4	9	3	6	4	3	29
Senegal	-	-	-	7	-	10	2	-	-	19
Iceland	-	-	-	-	12	4	1	-	-	17
Philippines	-	3	-	2	-	-	6	-	-	11
Singapore	-	3	5	1	-	-	-	-	-	9
Other Countries	3	64	36	23	25	26	41	18	4	240
TOTAL	1,979	4,706	9,815	10,057	18,978	29,154	24,940	18,418	6,979	125,026

* Some variation occurs between State Department and UNHCR totals for the United States because of variations in the point at which counts are taken.

Source: UNHCR

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REFUGEES IN THAILAND: "IS THE GLASS HALF FULL OR HALF EMPTY?"

The overall number of Southeast Asian refugees in Thailand has declined in the last twelve months, and senior U.S. officials have said that "significant numbers" will be resettled next year. But, at the same time, U.S. approval rates are declining and a growing percentage of refugees in Thailand are unlikely to be resettled in other countries, prompting Thai officials to talk about ending the refugee program. With all the ambiguous, and even contradictory, developments in the last year, one official said that trying to analyze the situation "has been rather like the test for optimism: Is the glass half full or is it half empty?"

At a July 31 meeting of Thai and international refugee relief agencies in Bangkok, a senior Thai government official announced that a "time frame" was needed for ending the problem of refugees and displaced persons in Thailand, now entering its twelfth year. The willingness of the international community to share the burden with Thailand is fading, said Suwit Suthanakul, secretary general of the National Security Council (NSC), in a keynote speech at the tenth annual conference of the Committee for the Coordination of Services to Displaced Persons in Thailand (CCSDPT).

Suwit noted "a sharp decline in the rate of resettlement in third countries and their application of immigration principles instead of humanitarian ones in screening the potential resettlers." This shift in focus to immigration criteria, he said, provided both "a precedent and an encouragement for me to take the same stand." He added that, "In the near future, I may have to hold that there are no such displaced persons or refugees immigrating into Thailand at all."

Suwit's statement has provoked considerable discussion among government officials, relief agency staff, and refugee program observers, but little consensus has emerged as to its implications for Thai refugee policy. "We are not sure what this means," one voluntary agency official in Thailand told Refugee Reports, "but we are concerned that there may be more forced repatriations in the future, or even an end to first asylum for some groups."

In March of this year, Thai authorities removed 38

IN THIS ISSUE:

Refugee Reports staff writer Court Robinson recently returned from a month in Thailand. His assessment of the current situation there is based on visits to many of the country's refugee camps and conversations with refugee officials..........1

- Update.................8
- Recent Developments

INS proposes new regulations for asylum and deportation that would take decisions away from immigration judges and create INS asylum officers; The Board of Immigration Appeals grants asylum despite finding an alien to have tried to circumvent orderly refugee procedures; large numbers of Haitian boat people interdicted, conditions in Haiti and the Bahamas worsen....................10

- Resources.............14
- Reader Exchange.....15
- Statistics

Indochinese Refugee Activity Fiscal Year 1987, as of June 30, 1987..................16

A sign in Phanat Nikhom speaks of Thailand's feelings for Southeast Asian refugees. Since 1975, Thailand has sheltered close to one million refugees and displaced persons. Of these, 560,000 have been resettled in other countries. Nearly 400,000 remain.

USCR/Court Robinson

Hmong from Ban Vinai camp and handed them over to Lao authorities, claiming they were illegal immigrants. The incident was publicized internationally and prompted formal protests from the U.S. government and the UN High Commissioner for Refugees (UNHCR).

"Certain propositions are sometimes made to provoke a response," said Vitit Muntarbhorn, associate professor of law at Chulalongkorn University, and a noted authority on immigration and refugee law. "The question is whether there is going to be a change in policy regarding refugees." Vitit suggested that "refugee status is not necessarily dependent entirely on what local [Thai government] agencies dictate. One must still consider the international attitudes prevailing." He said he did not foresee forced repatriations happening again, in that "we are a Buddhist country and basically humanitarian."

Thai Officials Call for More Resettlement

"We are scraping the bottom of the refugee barrel," said Virachai Naewboonnien, deputy director of the Thai Ministry of Interior's (MOI) Operations Centre for Displaced Persons. "Embassies are looking only at small percentages" of the 118,000 people in Thailand who are currently allowed to apply for resettlement in another country, he said.

Citing examples of these "small percentages," Virachai said he expected that embassies of the resettlement countries--primarily the United States, Canada, and Australia--will interview about 2,000 lowland Lao in Ban Na Pho camp, out of a current population of 22,000. Of the 11,000 Vietnamese in "Section C" in the Phanat Nikhom refugee camp, only about 2,000 will be interviewed for resettlement, according to Virachai. "We look to the embassies for more help in resettlement," he said.

A somewhat more optimistic view was suggested by Gerald Walzer, UNHCR representative in Thailand. Walzer noted that for the first time since early 1984 the overall number of refugees in Thailand has started to decline. From March 1984 to midyear 1986, the population of refugees in UNHCR-assisted camps in Thailand was around 130,000, Walzer said. As of June 30, 1987, the number stood at 118,400. "We witnessed some measurable progress for the first time in the three years," said Walzer, "though in retrospect, developments have been anything but constant and linear."

More than 27,000 Indochinese refugees left Thailand for other countries during 1986, according to UNHCR figures, and about

28,000 are expected to do so in 1987. "We remain optimistic that the downward trend in the overall caseload will continue for the remainder of the year," Walzer said, although he noted the "sharp rise" in Vietnamese boat refugee arrivals and a "renewed search for asylum on the part of hilltribe Laotians."

In his speech at the CCSDPT conference, Walzer called for renewed attention to the large number of "longstayers" in refugee camps throughout Southeast Asia, noting that more than 50 percent of the current Indochinese refugee population has spent four years or more in camps. "Think of the thousands of children born and growing up to know nothing but camp life," Walzer said. "I was recently very touched when told by a relief worker that in some camps children do not have the ability to recognize bright colors, have never seen cattle or water buffaloes, and are familiar with only three or four varieties of trees--all symptomatic of the dreary life in camp."

Vietnamese Arrivals in Thailand Nearly Double the Camp Population More than 6,600 Vietnamese boat refugees have arrived in Thailand in the first nine months of FY 87, the highest figures in five years, bringing the camp population up to 11,000. Since last year, all Vietnamese boat arrivals have been housed in Phanat Nikhom in a restricted area known as "Section C," which is surrounded by a corrugated tin fence and barbed wire. With all the new arrivals, Section C is now the largest Vietnamese refugee camp in Southeast Asia. It was built to hold no more than 7,000 people.

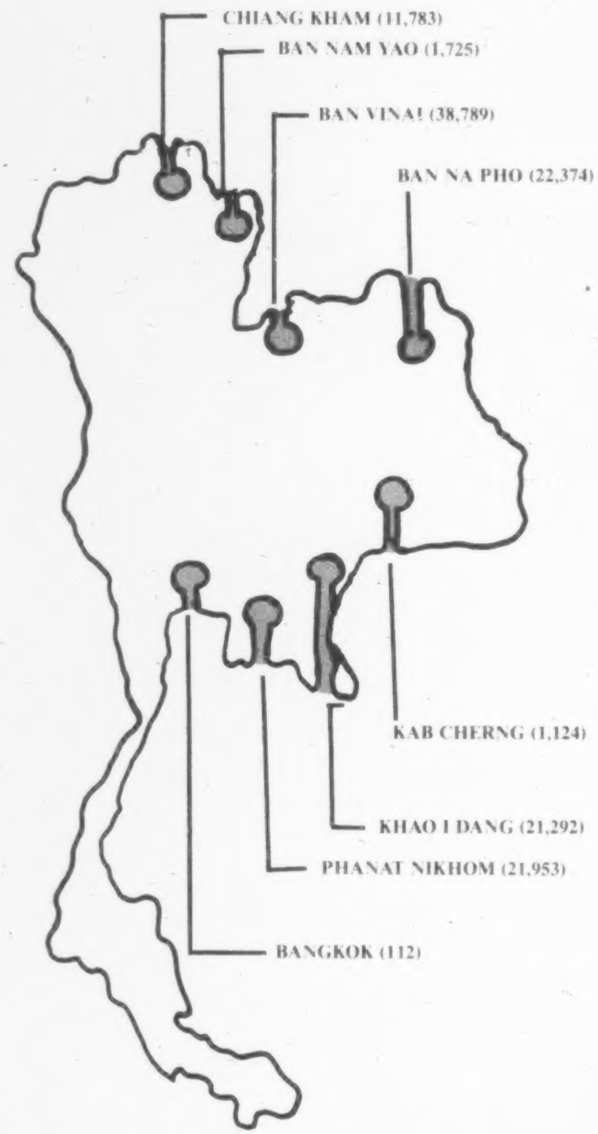
Some voluntary agency staff who work in Section C say the overcrowding is "pretty bad," with 25 or more people sharing housing designed for a maximum of 17. That is not the real problem, others say. "It's not that they're overcrowded," said David Loveridge, a clinical psychologist working with UNHCR. "It's that they're hemmed in, and they feel there is no escape."

Most of the Vietnamese in Section C have been there two or three years, according to Barbara Lewis, a psychiatric nurse working with the American Refugee Committee. She sees "a lot of deep depression, a feeling that there isn't much sense in doing anything," she said, particularly among people who have lost hope of being resettled. As people spend more and more time in the camp, said Loveridge, "they begin to lose touch with the past and the future. They begin to lose touch with themselves."

"With resettlement criteria becoming more rigid, there is a growing concern that the Vietnamese won't qualify," a UNHCR source told Refugee Reports. Speculating on possible Thai policy changes regarding

INDOCHINESE REFUGEES IN UNHCR-ASSISTED CAMPS IN THAILAND

(As of June 1987)



Vietnamese refugees, he said that "something may happen in the near term," particularly if arrivals continue at their recently high rates. Some observers say there has been talk within the Thai government about the possibility of setting up a screening program for Vietnamese.

The percentage of Vietnamese approved by the Immigration and Naturalization Service (INS) for admission to the United States has declined in the last year. Since June 1983, INS has approved an average of 89 percent of the Vietnamese cases presented for interviewing. In FY 87, the INS approval rate for Vietnamese refugees in Thailand is down to about 70 percent as of July 31.

Laotians Still the Largest Group in Thailand Highland and lowland Lao comprise by far the largest refugee group in Thailand, numbering more than 76,000 people in four camps along the Thai-Lao border. According to State Department figures, 6,800 Laotians--in roughly equal numbers of highlanders and lowlanders--entered Thailand in the first nine months of FY 87. The overall camp population will decrease, however, as almost 12,000 Laotians will be resettled in the United States this fiscal year, including at least 8,000 Hmong, the predominant Laotian hilltribe group in Thailand.

Despite these reductions and assurances from the United States that resettlement of Laotians will continue next year, the Thai government is clearly worried about the large numbers of Laotians in Thailand, as well as the numbers who may be on their way. MOI official Virachai said he had received a report that 4,000 Hmong were waiting on the Lao side of the Mekong River for an opportunity to cross into Thailand.

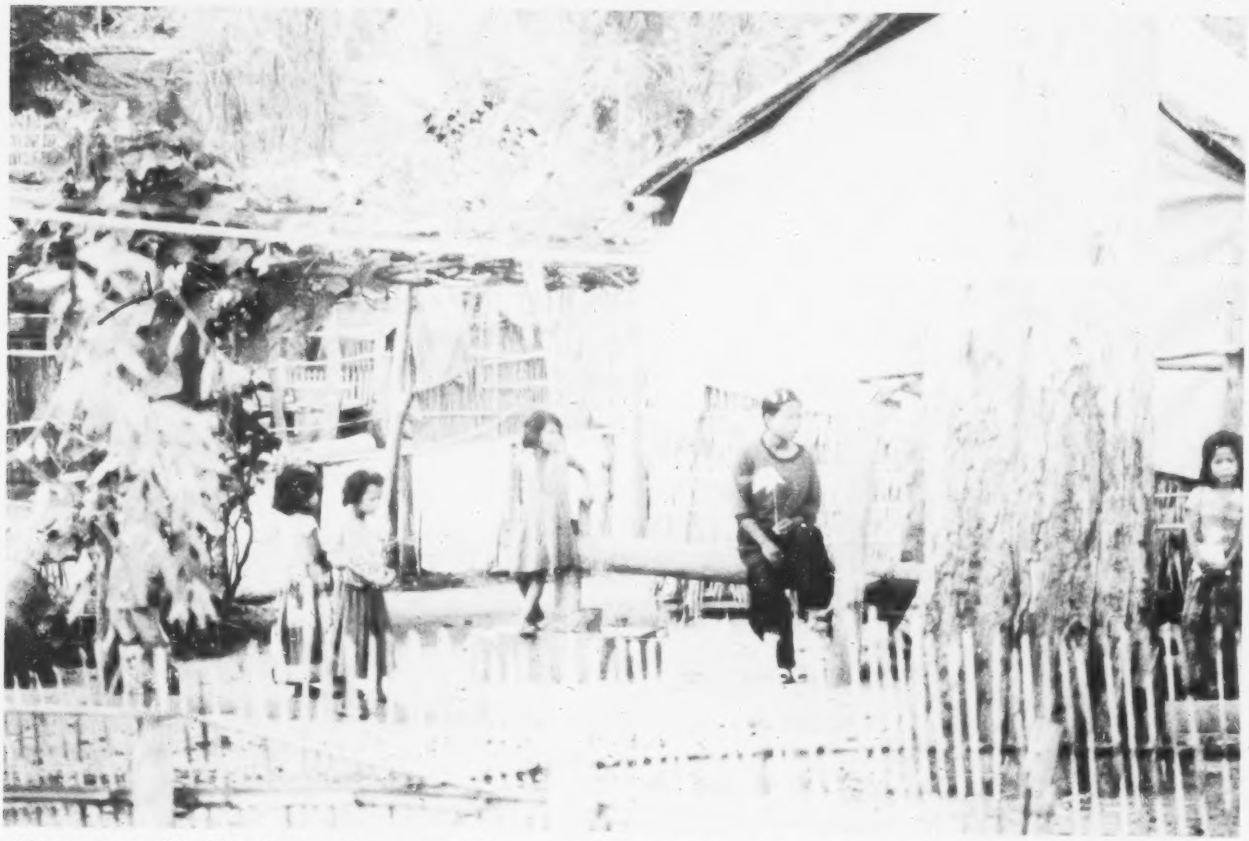
In July 1985, the Thai government, with the cooperation of UNHCR, established a system to screen newly arriving Laotians in order to distinguish bona fide refugees from economic migrants. Now, two years later, 2,254 people have been screened out as economic migrants, according to NSC secretary general Suwit. "Originally, the Laotian government agreed with UNHCR to take back these people," said Suwit, but the agreement subsequently collapsed. Meanwhile, most of the group waits in a detention center near Nong Khai for a decision on their fate.

"The screening measure is for Laotians who report to the Thai authorities," Suwit pointed out, "and is not applied to the resistance forces and those who are smuggled into the holding centers and/or who do not report to the authorities. The latter category are considered as illegal immigrants." Most of the Hmong arrivals fall into the second category, according to refugee program sources in Thailand, though they point out that many Hmong who have reported to Thai border authorities have been refused access to the screening program. Some Hmong have even been forced back into Laos.

The screening program suffers from other problems in addition to the fact that it may discriminate against Hmong and that the screened-out cases still are sitting in limbo after two years. Chulalongkorn University law professor Vitit suggests that the screening criteria, and ultimately resettlement criteria as well, favor applicants with family links overseas, former employees of foreign embassies, and former soldiers of a friendly regime, "rather than assessing the persecution characteristic," which he says should be the "priority."

Ironically, the very success that the Hmong have had in gaining admission to the United States may be hindering their access to the screening program. Since 1983, 99 percent of Hmong interviewed for U.S. resettlement have been approved, according to State Department figures. Thai officials have conceded that most Hmong would meet screening criteria as well, based on their family relationships overseas or previous involvement as U.S. allies during the Indochina War, according to a report in The Nation, an English-language newspaper published in Bangkok. But observers suggest that Thailand is extremely reluctant to add to its Hmong refugee population, which now stands at 53,000, fearing that access to the screening program would draw thousands more highlanders across the border. And even though U.S. approval rates remain very high for the Hmong, Thai officials say there is no guarantee that the Hmong will opt for resettlement or that the United States will continue to admit them in significant numbers.

In contrast to the Hmong, the overall INS approval rate for lowland Lao since 1983 is 77 percent. In FY 87, the approval rate has fallen to 61 percent.



There are 48,000 Cambodians in Site B (also called Greenhill), a border camp for followers of Prince Norodom Sihanouk. *USCR/Court Robinson*

Thailand Seeks to Discourage Laotian Asylum-Seekers Thai authorities may be seeking other ways to discourage Laotians from seeking asylum. On August 30, the Thai embassy in Washington issued a statement that the Ministry of Interior will close Ban Na Pho for resettlement interviews after the United States has completed its processing. No fixed date was set for the closure but U.S. interviewing was expected to be completed "by the end of August," according to the statement. "Even after closure, access by embassies will still be possible by specific request," it continued. "It is also hoped that the U.S. will make it clear to the remaining residents that they do not stand a chance of ever being resettled, especially in the U.S., and maybe they will begin considering voluntarily returning to Laos," the statement said.

Local MOI officials in Ban Vinai camp were quoted in June as saying they might erect a barbed-wire fence around the camp "to discourage the Hmong from sneaking in rather than from going out." Ban Vinai has an official population of 39,000 highlanders (primarily Hmong) but anywhere from 2,000 to 10,000 "unregistered" Hmong may be living there as well.

On June 24, the 96 refugee building leaders in Chiang Kham camp, which houses about 12,000 highland Lao, sent a signed letter to UNHCR, the Ministry of the Interior, and several embassies of resettlement countries accusing the camp commander of corruption and brutality and calling for his removal. The specific charges included detention of young children, mistreatment of prisoners, confiscation and sale of donated goods, and extortion. "We demand to know if his actions are in line with the Ministry of Interior's refugee policy," the letter said.

Thai Reiterate Plans to Empty Khao I Dang Since 1975, more than 210,000 Cambodian refugees have left Thailand to resettle in other countries. On December 31, 1986, the

Thai government officially closed Khao I Dang, the last remaining UNHCR-assisted camp for Cambodian refugees in Thailand. Since that time, Thai authorities have removed about 400 "illegal" residents from the camp and relocated them to encampments on the Thai-Cambodian border, temporary home for more than 250,000 Cambodian "displaced persons." "The removal of other Kampucheans [an alternative name for Cambodians] will follow," Suwit announced at the CCSDPT meeting. "I would like to make it clear that the Royal Thai Government will move the displaced persons from Khao I Dang to other appropriate border areas as planned," he said, and called for the cooperation of UNHCR and the UN Border Relief Operation (UNBRO) "in assisting in the relocation."

"Khao I Dang serves as a safety valve for protection," UNHCR field representative Walzer told Refugee Reports. "We have always maintained that nobody should leave Khao I Dang involuntarily. We feel a responsibility for these people."

There are still many unresolved questions as to what UNHCR responsibility means for Khao I Dang residents, whom it includes, and how it will be affected by a move to the border. Of the 21,000 Cambodians still in Khao I Dang, Thai officials have declared that some 14,500 are allowed to apply for resettlement in other countries. These are the so-called old and new "KD" card holders, who entered the camp prior to August 1984 (new KDs were formerly called "family card holders," or FCs). Most of them have already been rejected by one or more resettlement countries, including the United States.

An additional 7,000 Cambodians in Khao I Dang entered the camp some time between August 1984 and October 1985. These "ration card holders" or RCs, are considered legal residents of the camp and are eligible to receive food rations and other services. But the Thai government has not granted this group full refugee status, and has allowed only limited resettlement processing of RCs. UNHCR figures indicate that, since January 1986, 141 ration card holders have left Khao I Dang for resettlement, 43 of them to the United States.

The UN secretary general has indicated to Thailand that if the Khao I Dang population is moved to the border, their status as UNHCR-recognized refugees should continue, according to a senior refugee official in Bangkok. A tentative agreement has been reached for the KD group, the official told Refugee Reports, but the status of the ration card holders is still "under dispute."

In July, the State Department authorized resettlement interviewing for RCs with ties to the United States (processing priorities P-1 to P-5). Thailand, thus far, has not given its permission for this to happen. "The Thais will give access to the RCs only if there is a review of the KDs," said a UNHCR official in Thailand.

Even if the ration card holders ultimately are interviewed, the official said that he thought only two or three thousand would be resettled, given that "at least 50 percent will be rejected." INS approval rates for Cambodians in FY 87 have fluctuated between 50 and 65 percent.

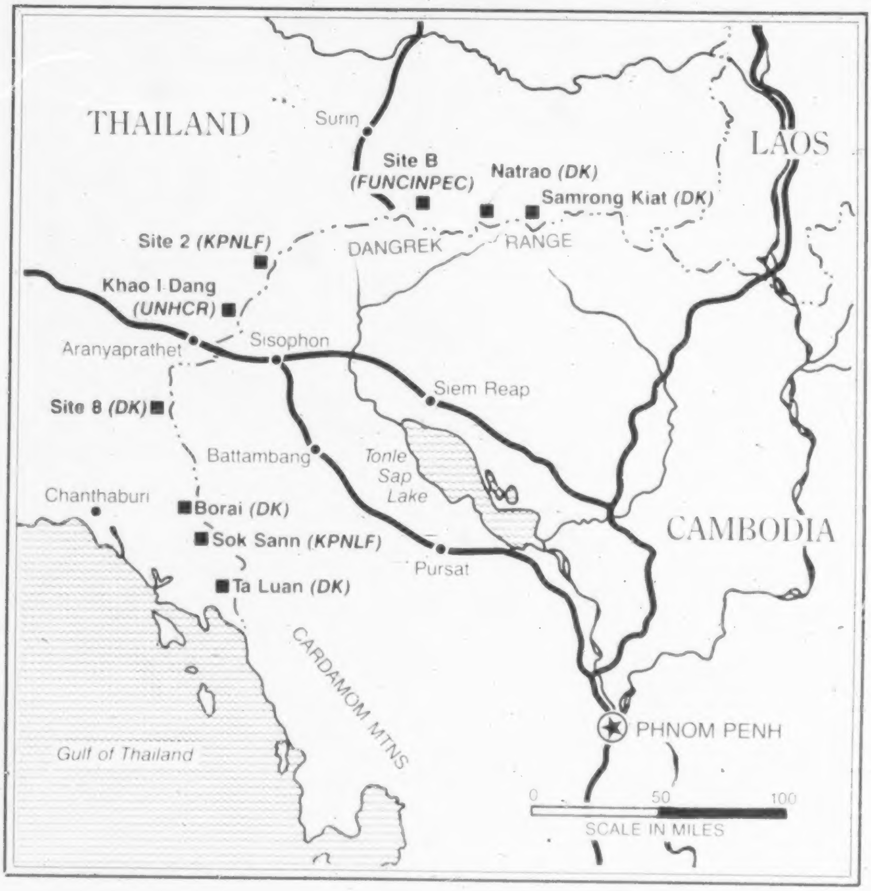
No Relief in Sight for Border Cambodians

The need for improved protection and expanded educational programs for the 250,000 "displaced persons" on the Thai-Cambodian border was cited by two senior international aid officials at the CCSDPT conference. "There are still abuses of human rights at the evacuation sites," said S.A.M.S. Kibria, the special representative of the UN secretary general for the Coordination of Kampuchean Humanitarian Assistance Programs. "There are still too many crimes which could be prevented." Kibria noted that "a great deal of effort" has been expended by both the International Committee of the Red Cross (ICRC) and UNBRO, but "the results have not met our goals for protection."

Indeed, according to several knowledgeable sources, on the afternoon of the CCSDPT meeting, a pregnant Cambodian woman and her disabled husband were killed by a drunken Thai ranger outside of Site 2, a border camp of more than 150,000 people. An ICRC field officer near the scene radioed for assistance from Task Force 80, the Thai paramilitary unit responsible for security in the border camps, but help was slow in arriving and the ranger escaped.

The incident reveals just one of the many faces of danger for Cambodians at the border. A February 1987 report by the New York-based Lawyers Committee for Human Rights documents numerous accounts of violence suffered by Cambodian civilians at the hands of Vietnamese soldiers, Cambodian bandits, Thai rangers, and Cambodian

MAP OF THAI-CAMBODIAN BORDER REGION


THAILAND
Surin
Site B (FUNCINPEC)
Natrao (DK)
Samrong Kiat (DK)
LAOS
Site 2 (KPNLF)
DANGREK RANGE
Khao I Dang (UNHCR)
Aranyaprathet
Sisophon
Siem Reap
Site 8 (DK)
Battambang
Tonle Sap Lake
Chanthaburi
Borai (DK)
Sok Sann (KPNLF)
Ta Luan (DK)
Pursat
CAMBODIA
CARDAMOM MTNS
Gulf of Thailand
PHNOM PENH
0 50 100
SCALE IN MILES

Camps holding displaced Cambodians, under the control of:

DK--Democratic Kampuchea (Khmer Rouge)
FUNCINPEC--National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia
KPNLF--Khmer People's National Liberation Front
UNHCR--United Nations High Commissioner for Refugees

Reprinted from Seeking Shelter: Cambodians in Thailand, Lawyers Committee for Human Rights.
Map by Pete Lukic.

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guerrilla forces. Security is a particular problem at Site 2, located less than one mile from the border. "Heavily populated, overcrowded, dominated as much by black marketeers as the resistance..., Site 2, with its poor land and lack of water epitomizes the hopelessness and futility of the border populations," wrote Tony Jackson in a July report for the British relief agency, Oxfam.

This growing sense of futility has given rise to yet another kind of protection problem. Urs Boegli, head of the ICRC delegation in Thailand, told the CCSDPT meeting that "irrational violence fuelled by growing despair has become a day to day affair, a reality from which a number of Kampucheans have already escaped through suicide."

Relief agency workers in Site 2 said that there were 9 suicide attempts in July alone, rates of induced abortions are increasing, child abuse is more and more frequent, and that domestic violence and rape are common. In a recent socio-economic survey of three Cambodian border camps, Dr. Josephine Peynell of the Oxford Refugee Studies Program said that this kind of violence is the consequence of "the physical and economic deprivation in the camps, the lack of freedom, the level of violence, the overcrowding, the fear of attacks and conflict, and the overwhelming uncertainty as to what the future holds--all compounded by the horror of the Pol Pot era."

In order to make the border camps "more humane and less senseless," Boegli said, "It remains our responsibility to examine over and over again how we can further improve protection, how we can provide more education, how we can promote...other elements that have traditionally helped to keep a Kampuchean society healthy and humane." Boegli also recommended moving Site 2 from its current "precarious" location and "splitting it again into several more manageable and more viable entities."

Legal Status of Border Cambodians "Urgently Needs Defining" Most of the 250,000 "displaced persons" on the border have been on Thai soil since early 1985 when a Vietnamese dry season offensive destroyed many of the camps on the Cambodian side of the border, forcing tens of thousands to flee westward into Thailand. "Now that the Cambodians have been in Thailand proper for almost two years, their legal status urgently needs defining," Jackson said. Thailand continues to call them "displaced persons," a term normally used for populations displaced inside their own country. Observers say this is in part a holdover from previous years when the people actually were in camps in Cambodian territory, but there is a political reason as well. Cambodian "displaced persons" are recognized by Thailand and the United Nations as being in the care and control of the Coalition Government of Democratic Kampuchea (CGDK), a government-in-exile that opposes the Vietnamese occupation of Cambodia.

The CGDK is composed of three factions, each of which maintains its own fighting force and administers its own primarily civilian encampments (see map on page 7). Two of the factions are non-communist and the third is the Khmer Rouge, a communist regime responsible for the deaths of at least one million Cambodians during its four year reign of terror from 1975 to 1978.

Jackson argues that the current arrangement provides too little protection for the civilians on the border. "There is a clear case for bringing them under the protection mandate of UNHCR," he said. Further recommendations included moving all civilian camps--the largest three being Site 2, Site B, and Site 8--a safe distance from the border and establishing a system of 24-hour-a-day protection. UNHCR "is probably the most appropriate UN body for this job," said Jackson.

Update

° The Administration has notified Congress that it will request an FY 88 refugee admissions ceiling of 72,500 at the upcoming consultations in September. This will represent an increase of 2,500 over last year's ceiling. At the same time, however, the administration's proposed budget for FY 88 is based on 55,000 projected refugee admissions. The ceiling will again include an "unallocated reserve" of 4,000.

The current year's ceilings (revised as of midyear consultations in June) and the proposed FY 88 ceilings by region are:

Region	FY 87 Ceiling	FY 88 Ceiling
Africa	2,000	3,000
East Asia		
First Asylum	32,000	29,500
ODP	8,500	8,500
East. Eur./USSR	12,300	15,000
Lat. Am./Carib.	1,000	3,500
Near East/S. Asia	10,200	9,000
Reserve	4,000	4,000
	70,000	72,500

° A total of 742 Guatemalans have returned from Mexico between January and June 1987, according to the United Nations High Commissioner for Refugees (UNHCR)--more than twice the figure for all of 1986. However, dozens of Guatemalan refugees repatriating from Mexico have been detained or prevented from returning to their home villages by Guatemala's army in recent months, according to the Christian Science Monitor.

The incidents, all occuring in Huehuetenango Department, scene of army raids which killed 8,000 persons between 1981 and 1983, reportedly include the following:

° On January 12, several men from a group of 49 refugees attempting a return to the village of Nubila, were arrested and detained for 12 days at the army base in Huehuetenango;

° On February 2, 21 families trying to return to their village of Ojo de Agua, were instead required to live for several months in Chacaj, a "model village" built by the army.

° On March 19, 120 of 351 refugees repatriating to villages in the Ixcan region, were resettled in the area by the army on vacant land adjacent to a military road. According to the report, the refugees' land titles were given by the government to landless peasants from other parts of Guatemala.

° Rep. Joe Moakley (D-Mass.) has called for a formal inquiry by the Immigration and Naturalization Service (INS) into statements by INS District Director Harold Ezell published in the Los Angeles Times that he gave "no credence" to reports of Salvadoran death squad activities in Los Angeles, and considered reports of death threats part of an "orchestrated PR campaign" by the "dead sanctuary movement." (for a report on the allegations, see Refugee Reports, Vol. VIII, No. 8.)

In a letter to INS Commissioner Alan C. Nelson, Moakley threatened to call a Congressional investigation to determine whether Ezell had any information showing that religious sanctuary groups had filed fraudulent crime reports, which is a violation of state and federal law. "I will defer any congressional investigation of Mr. Ezell's conduct for a reasonable period awaiting your response," the letter stated.

The Times reported Ezell as saying, "I don't see any problem in the congressman asking for an investigation and I am happy to cooperate."

° Persons who applied for U.S. asylum before January 1, 1982, and whose applications were denied or remained undecided, will be considered as being in unlawful status for purposes of eligibility for legalization benefits under the Immigration Reform and Control Act, according to an August 19, 1987 memorandum from INS Deputy Commissioner Mark W. Everson to INS regional offices. A legalization applicant who previously was granted asylum should file for adjustment under section 209, the memo said.

° On September 7 and 8, U.S. and Vietnamese officials held talks in Hanoi on the resumption of interviews for Amerasians wishing to emigrate to America, according to a State Department source. There are an estimated 8,000 to 10,000 Amerasians--children of American GI fathers and Vietnamese mothers--still in Vietnam. About 3,750 Amerasians have migrated to the United States through the Orderly Departure Program (ODP), along with 5,400 of their close family members.

Interviewing of Amerasians was suspended in January 1986 when Vietnam halted interviews of all new applicants for ODP. Bruce Beardsley, counselor for refugee and migration affairs at the U.S. embassy in Thailand and director of ODP, led the American delegation.

In a related story, the Amerasian Homecoming Act, introduced in Congress on August 6 (see Refugee Reports, Vol. VIII, No. 8), has been endorsed by a Vietnamese official. The bill was called a "positive and significant step to solve the Amerasian question," by Nguyen Dang Quang, first secretary for the Vietnamese mission to the United Nations. He told the Army Times, "We do not agree with the United States government when they let the children depart from Vietnam as refugees."

The State Department has not commented on the legislation.

° Two groups of Vietnamese from China, totalling 855 people, were returned from Hong Kong on August 22 and 26, according to an article in the Far Eastern Economic Review. More than 7,000 Vietnamese refugees who were originally resettled on cooperative farms in China have arrived in Hong Kong since June, citing rumors of resettlement opportunities in the West. Hong Kong and Guangdong officials have held talks to identify measures of curbing further outflows. Since 1978, China has resettled more than 280,000 refugees--primarily ethnic Chinese who fled overland from Vietnam in 1980.

° In the August 28 Federal Register, the Centers for Disease Control (CDC) of the U.S. Public Health Service published a final rule substituting human immunodeficiency virus (HIV) infection for acquired immunodeficiency syndrome (AIDS) on the list of dangerous contagious diseases that constitute grounds for denial of a visa. As such, refugees, immigrants, and applicants for permanent resident status (including legalization applicants) will be considered inadmissible to the United States if they are diagnosed as having HIV infection.

Testing for HIV infection will be required as of December 1, 1987. Any alien who tests positive will be excluded unless he or she obtains a waiver from the attorney general.

In July, AIDS was added to the list of excludable medical conditions that includes infectious leprosy, active tuberculosis, and chancroid, as well as infectious syphilis and other sexually transmitted diseases. The substitution of HIV infection for AIDS is warranted, according to CDC, because "all persons with AIDS have HIV infection," and "any person infected with HIV, with or without clinical manifestations of AIDS, is assumed to be capable transmitting the virus."

CDC noted that the majority of the 75 organizations commenting on the rule were opposed to the revision. "The potential effects of testing refugees in camps in first-asylum countries and the difficulties posed by some admissions programs, such as those for Soviet Jews, Vietnamese, and Cuban political prisoners, are of particular concern," CDC acknowledged. It promised to work closely with the Department of State to implement the testing program "in a way that will protect both the affected refugees and U.S. foreign and humanitarian policy interests."

The State Department has estimated that HIV screening of refugees overseas will cost $4 million per year.

° While emigration of Soviet Jews is continuing at a pace of about 800 per month (as opposed to 914 for all of 1986), including the exit of prominent refuseniks such as Iosef Begun, there has also been a noteworthy increase in the numbers of other ethnic minorities allowed to emigrate.

In August, 1,614 ethnic Germans were issued exit permits--an all-time record, according to the Christian Science Monitor. So far this year, the Monitor reports, 7,127 Germans have received exit permission, as opposed to 397 during the first eight months of 1986. In July, 301 Armenians were also granted permission to leave. Last year, about 15 per month were granted exit permission.

° A Vietnamese-American editor and publisher, Tap Van Pham, was killed August 9 in Garden Grove, California when his office was destroyed by an arson fire. A group calling itself the Vietnamese Party to Exterminate the Communists and Restore the Nation claimed credit for the attack. In a letter to two other Vietnamese language newspapers, the group said that the attack was prompted because Pham's weekly magazine, Mai, carried ads from three Canadian companies that ship goods to relatives in Vietnam from Vietnamese refugees in North America.

Recent Developments

INS PROPOSES NEW ASYLUM DETERMINATION REGULATIONS

A new system that would take asylum decisions out of the hands of immigration judges and substitute "nonadversarial" hearings with INS asylum officers has been proposed by the Immigration and Naturalization Service.

The proposed asylum regulations, published in the August 28 Federal Register, would replace interim regulations under which asylum decisions have been made since 1980. They would place authority for asylum and withholding deportation with a new creation in the INS bureaucracy--asylum officers--who would operate in the INS Office of Refugee, Asylum, and Parole. Under the existing system, asylum applicants are guaranteed hearings before immigration judges. In 1983, deportation proceedings were taken away from the INS and placed before immigration judges operating in a separate agency, the Office of the Chief Immigration Judge, Executive Office for Immigration Review. The new regulations would place exclusive jurisdiction for asylum and withholding of deportation within the INS, and would make the decisions of asylum officers binding upon immigration judges in exclusion and deportation cases in which the alien applies for asylum.

Written comments on the proposed regulations must be submitted to the INS on or before October 27.

"Reasonable Possibility" of Persecution

Proposed as Basis for Asylum Eligibility The proposed regulation's burden of proof for establishing a "well-founded fear of persecution" is based on "a reasonable possibility of the applicant actually suffering such persecution if he were to return."

The proposed regulations also specify the burden of proof applicants must meet to establish their eligibility for asylum. The regulations say that the asylum officer "shall not require the applicant to provide evidence that he would be singled out individually for persecution if he establishes that there is a pattern or practice in his country of nationality or last habitual residence of persecution of groups or categories of persons similarly situated to the applicant on account of race, religion, nationality, membership in a particular social group, or political opinion."

The language requiring a "reasonable possibility" of persecution differs from the way the Board of Immigration Appeals (BIA) has interpreted the "well-founded fear" asylum standard established by the Supreme Court in the Cardoza-Fonseca ruling. The BIA recently held that the test to apply would be whether a "reasonable person" in similar circumstances would have a fear of persecution (see Refugee Reports, Vol. VIII, No. 7). The BIA continues to assess the basis of a person's subjective fear, whereas the proposed rule would apply an objective standard independent of the person's fear. Carolyn Waller, director of the Alien Rights Project of the Washington Lawyers' Committee for Civil Rights under Law, said, "The proposed 'reasonable possibility' standard could perhaps be statistically tabulated." In Cardoza-Fonseca, on the other hand, the Supreme Court stated that the eligibility standard "obviously ...turn[s] to some extent on the subjective mental state of the alien." (See Refugee Reports, Vol. VIII, No. 3.)

The regulations also call for giving "due consideration" to evidence that a country persecutes citizens "if they leave without authorization or seek asylum in another country."

Immigration Lawyers Criticize Proposed Regulations The proposed regulations were sharply criticized by the American Immigration Lawyers Association (AILA), a 2,600 member association of immigration lawyers affiliated with the American Bar Association. AILA President Ira Kurzban called the regulations "a blatant violation of due process and contrary to Congress' intent under the Refugee Act of 1980 to ensure fair, impartial, and equitable treatment to all refugees irrespective of their country of flight."

Citing the INS's low approval rates for Salvadoran, Guatemalan, and Haitian asylum seekers, Kurzban said, "These regulations are a transparent attempt to reinstitute the ideological bias in asylum practices that existed prior to the Refugee Act of 1980 by placing in the hands of the prosecuting agency the sole right to determine asylum in the United States." He added, "Under these regulations, the current administration will have an unfettered hand to continue its policy and biases against persons seeking asylum from El Salvador and other non-communist countries."

AILA points out that by putting asylum decisions in the hands of the INS, the proposed regulations create "an irreconcilable conflict of interest," because that same agency is responsible for arresting and deporting asylum applicants.

Non-Adversarial Hearings Versus the Right to Due Process The immigration law weekly, Interpreter Releases, noted that "in light of the important stakes involved, it is open to question whether this proposed procedure would survive a due process challenge."

Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights, told Refugee Reports that the nonadversarial hearings would have the effect of denying due process. "There is no right to counsel in the regulations," he said. "You have the prosecutor and judge in one person."

Helton said, "Because the hearings would not take place before a neutral arbiter, asylum applicants would be prevented from establishing a suitable record for appeal."

But the idea of nonadversial hearings before trained INS asylum officers has its defenders as well. Carolyn Waller said that the fairness of the new system would depend largely on the training of the new asylum officers. "It is a step in the b

right direction."

Waller suggested that the UN High Commissioner for Refugees (UNHCR) be made part of the training for asylum officers and that information on asylum cases, which the regulations say should principally come from the Department of State, should be required from the UNHCR as well.

Waller welcomes the concept of non-adversial hearings. "Often we hear the trial attorney hammering away, attacking the credibility of the applicant," she said. "Abusive cross examination becomes a form of persecution in itself. It should be eliminated."

Waller maintains that the current system in which immigration judges operate outside of INS has not made the process any more fair for the asylum applicants. "I'm not sure that [having the Executive Office of Immigration Review] substantially has made a difference."

Helton said that immigration judges should not be the measure. "I'm not satisfied with the current system either." He said that he believes asylum adjudication should take place not only outside of the INS, but outside of the Justice Department altogether. "A neutral examiner," he said, "would address the main problem."

BIA BACKS OFF DENYING ASYLUM BECAUSE ALIENS CIRCUMVENT ORDERLY PROCEDURES

The federal Board of Immigration Appeals (BIA) has recently stated that it will no longer automatically deny asylum because the asylum seeker circumvented orderly refugee procedures, including the use of fraudulent documents.

The BIA has jurisdiction to hear appeals on asylum and deportation cases from immigration judges and Immigration and Naturalization Service (INS) district directors.

In an August 6 unpublished opinion, Matter of Pula, the BIA liberalized its earlier ruling in Matter of Salim that had held, "This Board finds the fraudulent avoidance of the orderly refugee procedures that this country has established is an extremely adverse factor which can only be overcome with the most unusual showing of countervailing equities."

The new ruling concedes that in the Matter of Salim it placed "too much emphasis" on the circumvention of orderly refugee procedures. The new ruling states, "This circumvention is a serious adverse factor, but it should not be considered in such a way that the practical effect is to deny relief in virtually all cases."

The BIA held that, "This factor is only one of a number of factors which should be balanced in exercising discretion, and the weight accorded to this fact may vary depending on the facts of the particular case."

Other factors that the BIA says should be taken into consideration include whether orderly refugee procedures were in fact available to the asylum seeker, whether he sought asylum elsewhere, and whether he has family or other personal ties to the United States. The BIA also notes that other humanitarian considerations such as "tender age or poor health" may also be relevant.

In light of the Supreme Court's Cardoza-Fonseca decision, the BIA shows particular concern with the possibility that a person could meet the more liberal "well-founded fear of persecution" standard for being granted asylum, but be denied asylum as a matter of discretion for circumventing orderly procedures, and then face deportation for failure to meet the tougher "clear probability of persecution" standard for withholding deportation. The BIA warns that the consequences of such a denial could be "unusually harsh" and goes on to state that "the danger of persecution should generally outweigh all but the most egregious of adverse factors."

RECORD NUMBER OF HAITIANS INTERDICTED

The largest number of Haitians ever intercepted on a single boat were picked up by the U.S. Coast Guard on August 4 in the Atlantic Ocean about 350 miles southeast of Miami.

The 339 passengers were in imminent danger of being drowned, according to the Coast Guard, which rescued them from their 65-foot shrimp boat before it sank.

All of the Haitians on board the vessel were returned to Haiti. Despite the overthrow of the Duvalier government in Haiti, Haitians continue to leave that country by boat, and advocates see no reasons for their numbers to decline.

Haitian boat people aboard the U.S. Coast Guard ship *Steadfast* *as it docks in Port-au-Prince, Haiti August 4. They were among the 339 people interdicted on August 3, the largest boatload of people ever caught attempting to cross to the United States.*
AP/J.Scott Applewhite

Those aboard this vessel were picked up as part of the Haitian Migrant Interdiction Operation, a program which has been in effect since October 1981 to catch Haitians while still in international waters and return them directly to their homeland. According to the Coast Guard, the Haitians are interviewed by an INS examiner to determine whether they have either documentation for entering the United States legally or a basis for establishing an asylum claim based on a well-founded fear of persecution if returned to Haiti.

From the time the program started in 1981 until September 4, 1987, only 2 persons have been determined to have a valid asylum claim out of the 12,295 interdicted.

According to a Coast Guard official, the two refugees who were granted asylum had been active in resistance to Jean-Claude Duvalier and were shot at by local militia as they were making their escape.

About 1,000 of those interdicted were not directly returned because they were apprehended within three miles of the American shore, legally within U.S. territorial jurisdiction. Another 1,064 persons have been interdicted from other nationalities, including 160 Cubans, various other Caribbean nationalities, and people from such far-flung nations as India, Bangladesh, China, and Sri Lanka.

Caribbean Journey Unpredictable, Dangerous

While the recently interdicted shrimper with 339 people on board was the largest load, overcrowded boats are becoming increasingly common. In late July and early September two other boats with more than 200 Haitians aboard were intercepted. "No 45 foot sailboat in the world is safe for 200 people," said Coast Guard Lt. Cmdr. Jim Simpson.

Simpson told Refugee Reports that it is "plausible" that many boats roll over and sink in the middle of the night. He said that aircraft will spot boats at nightfall and send a cutter, but that they frequently are never located. In one instance, Simpson said, a boat capsized as the Coast Guard was boarding it, resulting in a dozen deaths.

Simpson said that the Caribbean seas are especially unpredictable. "It is common to have beautiful sunny weather when you leave and a short distance away localized heavy thunderstorms with 40 mile-per-hour winds and 15 foot seas." He said that many of the Haitians are rural people with no ocean experience. "They are crammed in horrible conditions with inadequate food, water, and sanitation."

An article in the U.S. Naval Institute's Proceedings by Lt. Cmdr. George D. Bond cited INS and Coast Guard estimates that "50 percent of the sailboats departing Haiti never land, capsizing or foundering with total loss of life."

Why the Increase in Haitian Boat People?

Simpson said that a great deal of effort has been spent trying to predict Haitian boat flows, based on weather conditions, availability of boats, economic and political conditions, and month of departure. "The pattern is that there is no pattern," he concludes. He said that there was a decrease in boat departures in the six months following Duvalier's departure, but then "they jumped again."

"The linkage is very simple," said Michael Hooper of the Coalition for Haitian Refugees. "It can be traced to army killings in rural areas."

"The reasons for leaving are no different than for those who left earlier," said Fritz Longchamps, director of the Washington Office on Haiti. Longchamps cited a deteriorating political and economic situation, including the resurgence of the Tonton Macoutes, the security force under the Duvaliers, responsible for many human rights abuses directed against the rural population and political dissidents. "They have dressed them up now to be part of the army," said Gerard Jean-Juste, executive director of the Haitian Refugee Center in Miami.

A lead article in the September 12 issue of The Nation, datelined Port-au-Prince, confirms that the army has killed at least 32 people since the end of June, but adds, "Outside the capital, the government's measures are generally less direct; it prefers to let local power elites settle scores without interference." The article reports on an incident in July in the northwestern town of Jean-Rabel in which one group of peasants advocating land reform was attacked by another peasant group supported by the local landed gentry. At least 225 of the land-reform peasants were killed, many by machete, according to The Nation.

"Many of us are very bitter, very disappointed," said Jean-Juste of the political situation since the departure of Duvalier. "We see it as Duvalierism without Duvalier."

Jean-Juste accuses the United States of treating Haitians interdicted at sea differently from Cubans and other nationalities. Haitians, he says, face "kangaroo courts at sea," and, he expresses the belief, "racism is on top of it."

Haitians Now Flee the Bahamas as Well

Hooper predicts that an increasing number of Haitian boat people will actually be "secondary refugees from the Bahamas." According to Hooper, the Bahamian government has said that it will expel some 22,000 undocumented Haitians by mid-1988. "The situation has been brewing for years," he said.

An August 16 article by a Houston Post reporter in the Bahamas outlines human rights abuses directed against the Haitian population by the Bahamian government. Allegations cited include mass arrests of Haitians under non-specific warrants, taking into custody even legally resident Haitians; confining Haitian detainees in unsanitary, crowded conditions and denying them proper medical treatment; routinely denying bail to Haitians arrested on immigration violations; imprisoning Haitians after they serve their sentences; and two instances of refusing to help Haitian boat people in distress aboard sea-wrecked vessels in Bahamian waters.

Resources

EYEWITNESS REPORTS ON AFGHAN WAR

In 1985, Jan Goodwin, executive editor of the Ladies Home Journal, and a former war-correspondent, spent three months travelling with Afghan Mujahideen guerrillas, and has written an account of the violence in Afghanistan that has produced more than five million refugees.

Her book, Caught in the Crossfire, is a narrative of her observations in extensive travels not only in the Afghan countryside with the Mujahideen, but also in separate travels to Kabul and the Soviet Union to see the combatants on the other side. Of Kabul she writes, "There is a desperate housing shortage...where many internal refugee families find themselves living with relatives as many as fifteen to a three-square-yard room." The population of Kabul, she reports, has risen from 750,000 before the Soviet invasion to 2 million.

In rural Afghanistan she paints a picture of fear and desolation. "As I traveled through Afghanistan," she says, "I became accustomed to the sight of bloated corpses of donkeys or camels that had died after being raked with machine gun fire from the air. Nearly invariably would be the stone-covered burial grounds of the Afghan graves." Slow-moving refugee caravans became easy targets for helicopter gunships.

The author also shares her impressions of Afghan refugee camps in Pakistan. About an hour from Peshawar is the Munda camp. "To call it a refugee camp is a misnomer," she observes, "it is a long way from being a place of refuge."

She says, "In Munda, the six hundred families who had fled the Laghman massacres found they had exchanged one hell for another." Goodwin describes row after row of meager shelters, dust, silence, and hunger.

Many refugees, she reports, are unregistered and go without assistance. Many who are registered and who should be receiving rations and a cash allowance are often also left empty-handed. "In reality," she notes, "[the cash allowance] is rarely received."

Goodwin says the hardships the refugees experience have more to do with corruption and incompetence than with a lack of resources. She quotes an official of the UN High Commissioner for Refugees saying, "This may surprise you, but because of lack of proper implementation, we have never been able to spend all the funds allotted for the Afghan refugees. It's a crazy situation. In the North-West Frontier Province last year 11 percent of our budget had to go unspent because the Pakistani authorities weren't implementing the programs properly. In Baluchistan, which has one-fifth of the refugees, the figure was tragically much higher--50 percent. We've had wheat spoil just because it sits in a depot too long before it is delivered to the camps."

Caught in the Crossfire is available for $18.96, cloth, from E.P. Dutton Publishers, 2 Park Ave., New York, NY 10016. It can be ordered through local bookstores.

REFUGEE RESEARCHERS LISTED IN DIRECTORY

Information about 150 of the world's leading academic researchers on refugee issues is included in The Directory of Current Research on Refugees and Other Forced Migrants.

The directory, published by the Refugee Studies Program of the University of Oxford, includes each scholar's areas of interest, academic discipline, sources of funding, and method of research. Also included is a bibliography, as well as indexes of researchers by discipline and regional areas of interest.

The selection of researchers is international, though not exhaustive, including scholars from Eastern Europe, Africa, and even the People's Republic of China. Some significant U.S. researchers were omitted.

The 119-page publication is available from the Refugee Studies Programme, Queen Elizabeth House, 21 St. Giles, Oxford, OX1 3LA, U.K.

Reader Exchange

° The Refugee Materials Center has announced that it will close November 30. Set up by the U.S. Department of Education to provide information to educators about refugees, the Center will distribute its remaining materials to the National Clearinghouses for Bilingual Vocational and Adult Education. Those interested in receiving free materials from the Center before November 30 should contact Bud Tumy, Refugee Materials Center, U.S. Department of Education, 10220 N. Executive Hills Blvd., 9th floor, Kansas City, MO 64153. (816) 891-7972.

INDOCHINESE REFUGEE ACTIVITY
FY 87 as of June 30, 1987

COUNTRIES OF ASYLUM/PPC's	SEPT. 30, 1986 POPULATION	FY 87 ARRIVALS	FY 87 REDUCTIONS: TO U.S.	FY 87 REDUCTIONS: 3RD COUNTRIES	FY 87 REDUCTIONS: VOL. REPATR.	TRANSFER TO RPCs	JUNE 30, 1987 POPULATION
HONG KONG	8,386	1,429	41	1,429	0	372	7,838
MACAU	622	14	0	37	0	0	598
INDONESIA	4,411	1,301	224	1,788	0	1,024	2,619
MALAYSIA	7,900	6,552	517	2,587	0	2,921	8,349
PHILIPPINES	3,021	2,275	124	761	0	621	3,760
SINGAPORE	140	478	31	189	0	57	326
OTHER	1,374	80	23	329	0	159	890
THAILAND - KHMER	27,130	879	71	2,809	0	526	24,132
THAILAND - HIGHLANDERS	57,722	3,236	80	98	52	6,552	53,376
THAILAND - LAO	29,612	3,644	187	1,621	93	5,241	22,898
THAILAND - VIET. LAND	883	396	34	367	0	16	771
THAILAND - VIET. BOAT	5,896	6,611	202	755	0	1,211	10,281
SUBTOTAL THAILAND	121,243	14,766	574	5,650	145	13,546	111,458
TOTAL LAND REFUGEES	115,516	8,171	372	4,895	145	12,346	101,177
TOTAL BOAT REFUGEES	31,581	18,724	1,162	7,875	0	6,354	34,661
TOTAL 1ST ASYLUM	147,097	26,895	1,534	12,770	145	18,700	135,838
BATAAN-RPC	9,977	10,961	10,362	113	0	0	12,366
GALANG-RPC	621	7	611	0	0	0	0
PHANAT NIKHOM ESL/CO	3,699	7,915	4,666	0	0	0	6,916
TOTAL RPCs	14,297	18,883	15,639	113	0	0	19,282
GRAND TOTAL	161,394	26,895	17,173	12,883	145	18,700	155,120

Source: U.S. Department of State, Bureau for Refugee Programs.

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October 16, 1987

PRESIDENT SETS 1988 REFUGEE ADMISSIONS LEVELS

Following consultations in late September between administration officials and Congress, President Reagan has authorized admissions of up to 72,500 refugees in FY 1988, a slight increase from the previous year. This figure continues the recent upward trend in admissions from the Soviet Union and lowers the regional ceiling for Southeast Asia (see chart on page 16). For the second consecutive year, the president has set aside an unfunded, unallocated reserve of 4,000 for "privately funded admissions," although the FY 87 reserve was never used.

In submitting its proposed FY 88 budget in January, the administration had estimated a refugee admissions level of 55,000 for the fiscal year, and requested $314.5 million to cover overseas assistance and initial resettlement costs. The House has already appropriated $319 million, but earmarks in the House appropriations bill could have the effect of reducing FY 88 admissions to around 50,000, according to congressional sources. Unless the Senate Appropriations Committee provides additional funding to cover the higher refugee ceilings, the administration will be forced to seek supplemental funding later in the year or face significant shortfalls in admissions.

"We Don't Guess as Well as We Should," Says U.S. Refugee Coordinator Testifying before the House Judiciary Committee on September 23, Ambassador Jonathan Moore, the U.S. Coordinator for Refugee Affairs, cited time lags and unforeseen regional developments as reasons for the discrepancy between the administration's January and September estimates. "It is a factor of the budget process being many months before the consultations process," Moore told the committee, and added, "We don't guess as well as we should."

In early 1987, the Soviet Union began to relax its emigration policies and to permit more Jews and other ethnic and religious minorities--Armenians and ethnic Germans--to leave the country. Soviet Jewish departures having fallen to a rate of only 100 per month in 1986, have now reached 700 to 900 per month, according to the State Department, and are expected to continue at that rate through FY 88. "It is by far the most

IN THIS ISSUE:

There has been a great deal of legislative activity this month related to refugees. The annual refugee consultations with Congress presented one opportunity to raise refugee issues; amendments to a State Department authorization bill, another.......1

- Update.................5
- Recent Developments

Thousands of Salvadorans repatriate from Mesa Grande, Honduras; Senate passes Southeast Asian refugee amendment; Other amendments give asylum preference to those fleeing communist countries, wider processing for Cubans, and permanent residence for Poles; Ethiopia again faces drought and famine......................6

- Projects and Programs

Group works to prevent child abuse in Southeast Asian community.............. 13

- Resources 14
- Statistics

U.S. Refugee Admissions Ceilings..................16

significant change from the refugee admissions needs...one year ago," said Secretary of State George Shultz.

About 70 percent of the Soviet Jewish emigres choose to resettle in the United States, 25 percent in Israel, and the rest in other countries. The FY 88 regional ceiling for Eastern Europe and the Soviet Union is 15,000, an increase of 2,700 from the FY 87 revised ceiling. Since 1975, more than 192,000 Eastern European and Soviet refugees have resettled in the United States, according to State Department figures.

Judiciary Committee Members Critical of Southeast Asian Numbers Although the regional ceiling for Southeast Asia declined for the eighth consecutive year, the reduction--from an FY 87 level of 32,000 to 29,500--appeared too small to satisfy some members of Congress. "Is this program ever going to end?" asked Rep. Romano Mazzoli (D-Ky.), chairman of the House Subcommittee on Immigration, Refugees, and International Law. "It is a purely immigration program," he said. "We are trying to put a square peg in a round hole. It doesn't fit."

A September 29 letter to the President from four key members of the Senate Judiciary Committee said that "concerns over the policy directions of our refugee program have deepened--particularly in Southeast Asia." The letter requested that only half of the 29,500 numbers authorized for first asylum refugees in the region be used before midyear consultations with the committee. The letter was signed by Sens. Joseph R. Biden Jr. (D-Del.), Strom Thurmond (R-S.C.), Edward M. Kennedy (D-Mass.), and Alan K. Simpson (R-Wyo.).

The consultation this year between the Senate and the administration took the form of a telephone call to Kennedy from Shultz. In a follow-up letter to Shultz dated September 29, Kennedy said, "the nomination of Judge Bork has consumed the time of the Judiciary Committee. We will reschedule the required hearing some time in late October."

The Senate Judiciary Committee's letter to the President also said it was "doubtful" that the first asylum ceiling for Southeast Asia "is justified without it becoming a 'quota,' for which pressures then build to fill." The four committee members expressed "particular concern" that the ceiling would be reached only through an "extremely large increase" in the resettlement of Hmong, an ethnic group from the highlands of Laos. They requested that the committee be notified "before more than 1,000 Hmong refugees are processed during the coming year," and called for a congressional review of Hmong resettlement policies.

Shultz's testimony, which was presented by Moore at the House consultation hearing, defended the Southeast Asian ceiling, saying that "continuing the admissions program at nearly the same levels as last year reinforces the message of our firm commitment to the first asylum countries that we will continue to offer generous resettlement numbers as one means of relieving their first asylum burden."

Thai-Cambodian Border Focus of Congressional Concern Several congressmen at the House hearing drew attention to the conditions of Cambodians in Thailand, both the 21,000 refugees in Khao I Dang and the 250,000 "displaced persons" on the Thai-Cambodian border. Rep. Peter Rodino (D-N.J.), chairman of the House Judiciary Committee, referred to a September 21 article in the *New York Times* and asked what was being done about "these horror stories" of suicide, rape, robbery, and murder.

"Security is a very troublesome situation" at the border, said Moore, "in terms of vulnerability to external attack and internal security." He said that "various proposals are pending" to improve protection for border Cambodians, particularly the 160,000 who live in Site 2. The examples cited by Moore included around-the-clock international presence in the camps; establishment of free markets to reduce the black-marketeering and bribery; reform of Task Force 80, the Thai paramilitary unit responsible for border security; and added support for the unarmed Cambodian "police" patrolling the camps.

The Senate Judiciary Committee letter to the President further recommended that "additional U.S. resources should be earmarked for UNBRO's [U.N. Border Relief Operation] proposals to upgrade and move part of the camp at Site 2, and for assistance to Thailand in providing regular, well-trained and disciplined troops to protect the refugees along the border."

The State Department authorization bill passed by the Senate on October 8 includes an amendment introduced by Sen. Mark O. Hatfield (R-Ore.), which authorizes $2 million for each of the next two fiscal years "to train and deploy the Royal Thai Army" to replace Task Force 80 troops in providing refugee camp security. The amendment also includes a resolution that "international observers and relief personnel should be present on a twenty-four-hour a day basis at camp Site 2 and any other camps where it is deemed necessary" (see Recent Developments).

In response to a question about the prospects of resettling border Cambodians in the United States, Moore replied, "The Cambodians are 'displaced persons' and are not eligible for processing. I do not expect that situation to change." He added that "we have the possibility of bringing in some of these people through humanitarian parole and immigration visa processing," but admitted that "prospective admissions numbers are very low, and we have to overcome the problem of access, which is controlled by the Thai government."

For two years, the United States has been trying to initiate a program of immigration processing for Cambodians in Khao I Dang and on the border. According to guidelines published by the Immigration and Naturalization Service (INS), Cambodians in the United States with relatives in Thailand may either file immigrant visa (IV) petitions on behalf of their relatives, or under limited conditions, request humanitarian parole (HP). Since the program was announced by Shultz in September 1985, only about 135 Cambodians have entered the United States through this route.

One step of the HP and IV processing procedure involves interviewing of potential beneficiaries by U.S. consular officials or, in some HP cases, by INS officers. So far, refugee program sources say, the Thai government has been very slow in granting access to conduct these interviews. Moore testified that 1,013 cases in Khao I Dang and on the border currently are waiting for interviews with U.S. officials.

There are indications that Thailand may allow increased access some time soon. In early October, Thai foreign minister Sitthi Savetsila visited the United States, where one of his meetings was with Sen. Claiborne Pell (D-R.I.), chairman of the Senate Foreign Relations Committee. In an October 7 speech on the Senate floor, Pell announced that Sitthi "specifically undertook to facilitate the processing of some 2,000 cases of Cambodians with relatives in the United States.".

Administration Sees Private Sponsorship as "Strong Idea" with Many "Obstacles" At the House hearing, Rep. Hamilton Fish, Jr. (R-N.Y.) asked about the administration's purpose in setting aside numbers for private sector sponsorship even though the unfunded allocation of 4,000 was not touched in FY 87. "There may be opportunities to bring in refugees above the regionally allocated, federally funded ceiling," said Moore. "It is a strong idea that we are still committed to." He admitted that there were "obstacles" to overcome, principally that "within the private sector there is a feeling that resources are already being stretched."

A September status report from the Office of the U.S. Coordinator for Refugee Affairs identifies two main reasons why the administration supports the idea of a privately funded program. First, such a program "would enable some refugees to enter the United States who would not otherwise be admitted." Second, the report argues that "the role of the private sector in resettlement has diminished substantially since 1975," and that there are a variety of private resources that "are not being involved sufficiently by the voluntary agencies," including employers, ethnic associations, civic groups, and foundations.

The report describes efforts by the administration in FY 87 to develop short-term pilot projects, including one involving Baha'i refugees, a religious minority fleeing persecution in Iran. INS support for a Baha'i project stemmed from the fact that they come from a region, the Near East, in which refugee numbers have been oversubscribed, and that there is a well organized and dedicated Baha'i community in the United States that might be willing to offer support. The project was shelved, at least temporarily, when the Baha'i governing board, the nine-member National Spiritual Assembly, decided last month that financial and human resources were too limited to pursue the idea.

According to Shultz's testimony at the

consultation hearing, "Obstacles which have to be overcome in order for this initiative to be successful include: the availability and willingness of qualified sponsors; arrangements for costly medical coverage; the need for some start-up funds; and various equity and legal constraints."

Latin America "Least Certain of All the Regions" The FY 88 ceiling of 3,500 for Latin America and the Caribbean is "the least certain of all the regions," said Shultz, "for the simple reason that it reflects a policy which cannot be implemented without the cooperation of the Cuban government."

Under the Migration Agreement of 1984, Cuba had promised to take back 2,746 Cubans from the Mariel boatlift deemed excludable from the United States due to mental illness or past serious criminal offenses. The United States, in turn, had agreed to admit up to 3,000 Cuban political prisoners and their close family members. In May 1985, Cuban leader Fidel Castro suspended that agreement, following the start of Radio Marti broadcasts by the United States.

In FY 87, only 265 Cuban refugees entered the United States, according to the State Department.

The FY 87 ceiling for Latin America had provided for processing of up to 1,000 non-Cuban refugees.

"We have found it difficult to establish a new program for non-Cuban refugees," said Shultz. "We have intensified our efforts, and INS is now beginning to approve small numbers of refugees from Central America."

Forty-two Central American refugees were resettled in the United States in FY 87, according to the State Department. Some 38 other refugees have been approved for admission by INS and will enter the country in FY 88. It is unclear whether a family of six Salvadorans, approved for resettlement, are included in the FY 87 or FY 88 figures. The others approved or resettled are all Nicaraguans.

Most of the refugees were interviewed by INS officials in San Jose, Costa Rica during the summer. INS officials made a second trip to Guatemala, Honduras and El Salvador between September 8 and September 24.

The cases were referred to INS officials for review by personnel of the Intergovernmental Committee for Migration (ICM). ICM pre-screens applicants and assists in the preparation of cases, much like voluntary agencies do for INS elsewhere.

Nearly all the refugees reviewed thus far have been "urban," according to a State Department official. Refugees in camps have not been interviewed. "We are relying on UNHCR (the United Nations High Commissioner for Refugees) or voluntary agencies to bring cases to ICM's attention," said Richard Scott of ICM.

Update

° Thailand has moved 52 Vietnamese from the Suan Plu detention center in Bangkok to Site 2, a camp on the Thai-Cambodian border housing more than 160,000 people, according to a September cable from the Department of State. In the past, Vietnamese in Suan Plu were moved to Phanat Nikhom, a refugee processing center 40 miles from Bangkok. "This change in policy could indicate that movement to Phanat Nikhom would no longer be permitted and could have serious implications for the future," the cable said.

° Vietnam released 480 re-education camp prisoners in September who were previously associated with the South Vietnamese government. The former prisoners are not eligible for resettlement, however.

According to the Vietnamese mission to the United Nations, among the released were two former government ministers; 18 administrative officials; nine generals, 248 field officers--including 115 colonels and 73 lieutenant colonels--and 117 junior officers. The mission said the official reason for the release was observance of Vietnam's national day on September 2.

In congressional testimony on September 30, David F. Lamberston, State Department deputy assistant secretary for East Asian and Pacific Affairs, said that "in terms of both the numbers of prisoners involved and their seniority--as well as the press coverage permitted--this prisoner release differed significantly from previous Vietnamese practice." He added, "We [the United States] welcomed this step, and have expressed the hope that all remaining political prisoners will be freed and allowed to emigrate with their close family members."

In accompanying testimony, Gen. John Vessey said that during his August visit to Vietnam as special Presidential envoy he had asked the Vietnamese about having re-education prisoners freed and made eligible for resettlement. Vessey said he was told that re-education prisoners were "enemies of the government" who could conceivably cause Hanoi problems if they were permitted to leave Vietnam. However, Vessey added that officials seemed to modify their view toward the end of his visit.

° New interviews began in mid-September under the Orderly Departure Program (ODP), an arrangement for legal emigration from Vietnam, in which U.S. officials heard the cases of 1,067 people and approved all but 109. Additional interviewing of regular ODP cases, as well as Amerasian cases, is expected at the end of this month, according to a U.S. State Department spokesman.

Meanwhile, a bill introduced by Rep. Robert Mrazek to speed emigration of Amerasians to the United States has gained 160 co-sponsors, but it awaits a congressional hearing. According to a Mrazek source, Rep. Romano Mazzoli, chairman of the House immigration subcommittee, is waiting until the State Department issues a formal opinion on the Mrazek bill before he agrees to a hearing on the measure.

° Reports from Hong Kong indicate that colonial authorities are considering a proposal to deny asylum to further arrivals of Vietnamese boat people. According to the reports, the colony's closed camp policy is considered to have failed as a deterrent. A Hong Kong government source told *Refugee Reports* that representatives from the British foreign ministry went to Hong Kong in mid-September to explore with Vietnam the prospects for repatriating Vietnamese boat people. An *Agence France* report said Hanoi reiterated its long-standing public position just prior to the ministers' arrival that it would not accept boat people in large numbers, but only on a case-by-case basis.

° On September 21, Nicaragua reopened a border crossing near Las Manos, Honduras, as part of an amnesty program designed to encourage thousands of Nicaraguan refugees and anti-government rebels to return, according to press reports. By September 26, only 20 people had taken advantage of the amnesty.

At least 10,000 Nicaraguans were reunited with their families at the border crossing on Saturday, September 28, participating in a day of temporary reunification. The group reportedly included refugees from camps in Jacaleapa and Teupasenti who were given permission by Honduran authorities to travel. On the Nicaraguan side, some family members came from as far away as Managua.

The peace plan signed August 7 by the five Central American presidents calls for each government to offer an amnesty to its political opponents by November 7.

° In the past 12 months, the Nicaraguan Ladino refugee population at UNHCR-registered camps in Honduras has nearly doubled. A total of 2,776 Nicaraguan Ladino refugees were registered as new arrivals in Jacaleapa and Teupasenti, Honduras during the first seven months of 1987, in comparison to 3,100 for all of 1986, according to *Refugees* magazine. The report noted that most of the newly registered refugees did not come directly from Nicaragua, but had been living in border areas without official residence permits.

° Recently a prominent Salvadoran opposition leader, Ruben Zamora, returned from seven years of exile to participate in peace negotiations with the Salvadoran government. Zamora, a leader of the Revolutionary Democratic Front (FDR), left El Salvador in 1980 following the murder of his brother by death squads and threats against his own life. On October 4, he was one of four opposition figures to meet with the government of President Jose Napolean Duarte to negotiate an end to the 7-year-old guerrilla war.

° On September 18, Miguel Antonio Mejia Cruz, 27, who formerly had lived in the United States under sanctuary movement refuge, was arrested by the Salvadoran Treasury Police and subjected to extreme physical abuse, according to the Central American Refugee Center (CARECEN).

Mejia Cruz had returned to El Salvador

in January, 1987, believing, according to CARACEN sources, that the situation had changed enough to allow him to return.

After returning, he joined the Christian Committee for the Displaced of El Salvador (CRIPDES), a religiously based organization advocating for the rights of displaced persons.

According to CARECEN, after being subjected to torture, Mejia Cruz was forced to sign a confession, and was filmed saying he had not been tortured, that he was affiliated with the guerrillas, and that CRIPDES is a guerrilla front organization. He was then transferred to the political prisoner section of Mariona Prison, where he is reportedly still being held. According to an October 7 Christian Science Monitor report, 26 repatriates have been sent to the political wing of the Mariona prison since 1986.

° On October 8, the Immigration and Naturalization Service (INS) announced that undocumented aliens who had left the United States after January 1, 1982 and reentered using legal visas would now be eligible for legalization. INS Commissioner Alan C. Nelson also announced that in cases where both parents are eligible for legalization, but their minor children are not, that the INS would not deport the children. Nelson said, however, that cases involving only one eligible parent would have to be decided on a case-by-case basis. INS officials estimated that an additional 100,000 aliens could be made eligible for legalization because of these changes.

The INS also announced that nearly 800,000 aliens had applied for amnesty nationwide, and that the number is expected to reach two million when the program ends in May.

° Persons in temporary resident or conditional resident status as a result of the Immigration Reform and Control Act or 1986 marriage fraud amendments may now be considered as anchor relatives for refugees falling in processing priorities 3 and 5, according to a State Department cable. Refugee processing priorities 3 and 5 give preferential consideration for refugees with family ties in the United States. Until now, anchor relatives were required to have legal status as U.S. citizens, permanent resident aliens, refugees, or asylees.

° Several more prominent Jewish refuseniks have been granted permission to exit the Soviet Union, including long-time activists Ida Nudel, Vladimir Slepak, and Aleksey Magarik. All three had been tried and convicted on charges related to their efforts to exit the country. The Washington Post reported Slepak as saying that allowing a cluster of refuseniks to exit "is not a solution to our problem. The problem will be solved when anyone who wants to leave can do so."

On September 29, The Jerusalem Post reported that Soviet authorities had issued more than 16,000 exit visas since January, 5,000 of which have been to Israel. There have been only 800 refusals, half of which are under appeal, the Post reported.

° In a report vehemently and categorically denied by both the Iranian and Israeli governments, the Turkish Daily News reported on September 14 that some 30,000 Jews will be allowed to leave Iran via Turkey in the next few months. Earlier the British newspaper, The Observer, had reported a secret deal to allow thousands of Jews to emigrate from Iran in exchange for military aid from Israel. On October 2, the Washington Post quoted Alois Mock, an Austrian official speaking at the UN, to the effect that thousands of Iranian Jews have been entering Austria via Pakistan. He told reporters at the UN that 5,100 Iranian Jews had come through Austria since 1983, and that the flow had increased sharply to 1,482 in the first six months of this year.

° The INS is scheduled to be in the Sudan from October 27 through December 10 to interview potential cases for U.S. refugee resettlement. The refugee office in Khartoum is expected to present the cases of 940 persons for consideration.

Recent Developments

THOUSANDS OF SALVADORAN REFUGEES RETURN HOME FROM HONDURAS

"Tell the world," said a Salvadoran refugee as he crossed the Honduran border back into his homeland, "that October 10 and 11 are the days that the refugees from Mesa Grande took their first step toward freedom."

Some 4,314 refugees took that first step in a caravan of buses accompanied by a group of U.S. church observers. The repatriation climaxed months of negotiations among the refugees, the Salvadoran government, the UN High Commissioner for Refugees (UNHCR), and other concerned parties. The Salvadoran government had opposed the repatriation until the last moment, saying that the refugees would not be permitted to return to their original homes in conflict zones, and calling the petition for return by the Mesa Grande refugees an attempt to embarrass and discredit President Jose Napoleon Duarte.

"The return was very peaceful," Jose Escobar, executive director of the Interfaith Office on Human Rights in El Salvador, told *Refugee Reports*. He accompanied the refugees to the border and observed, "Aside from the hot sun on the ten-hour bus ride, there was no violence, no provocation on the Honduran side."

Escobar said that when the uncomfortable children on board his bus were told that the trip would be better when they reached the paved road, one child asked him what a paved road looked like. He had never seen one before. Born and raised in the Mesa Grande camp, many of the children were seeing the outside world for the first time.

Despite the peaceful repatriation, and the prospect of peace under the Arias Plan, there was nevertheless a continuing sense of fear.

In a cable from Tegucigalpa, Honduras, the UNHCR representative reported: "Returnees remained calm during journey to border and entrance in El Salvador in spite of fears regarding their personal safety."

American church observers reported similar impressions. "Many who returned were afraid," said one observer, Rev. Gustav H. Schultz, a Lutheran auxiliary bishop, who is the president of the Salvadoran Humanitarian Aid, Research, and Education (SHARE) Foundation. "We were afraid too." He told *Refugee Reports* that when he was in San Salvador and attempted to call church contacts, the phone lines were cut.

As recently as September 1, a bombing raid struck near Santa Marta, an area to which 1,000 of the refugees were planning to return. In that raid, at least one person was killed and several others wounded.

Meanwhile, in Geneva, the International Council of Voluntary Agencies (ICVA) told the executive committee of the UNHCR that the mass return from Mesa Grande gives cause for concern. "Peaceful conditions do not prevail in the places of origin of the refugees...and their safety cannot be guaranteed," ICVA said. "UNHCR and others working with the refugees, therefore, have a tremendous responsibility when informing the refugees of the conditions in the regions of their home countries to which they wish to return."

ICVA noted that the explicit wish of repatriation should be respected and practical arrangements made for return, but cautioned that "misunderstandings regarding the actual conditions of life in their homelands should not be allowed to nourish unfounded expectations and hopes by the refugees." ICVA called for careful monitoring by the UNHCR, stressing that this monitoring "should not only take place during the immediate return but continue until they are successfully integrated."

Repatriation Culminates Long, Difficult Negotiations The long process of negotiation leading to the return of these Mesa Grande refugees began in January when the refugees petitioned the UNHCR and the Salvadoran government for return based on eight conditions:

- right to return to places of origin;
- right to work without harassment;
- right to remain neutral in the conflict without obligatory recruitment by the armed forces;
- that military posts or civil defense units not be established in the repopulated sites;
- that there be no bombings or strafings in the repopulated sites;
- freedom of movement;
- right to deliver international humanitarian assistance to the sites; and
- right of freedom of expression.

The Salvadoran government had been reluctant to permit the return of a large group of refugees it considered sympathetic to rebel forces. President Duarte had reportedly said that he would only support repatriation on an individual basis on the condition that returnees resettle in zones outside of conflict areas.

The refugees, on the other hand, insisted that they be permitted to return to their places of origin; that they be allowed to return as a group; that the military not be present; that international voluntary organizations be granted access; and that the refugees be given proper Salvadoran documentation.

More resistant than the Duarte government, was the Salvadoran military, according to journalists reporting from El Salvador. The Christian Science Monitor reported Salvadoran military personnel expressing the belief that the return of refugees to their original homes in the battle zones would help the rebel forces. "The Army has sought to depopulate such zones in an effort to cut the rebels off from a peasant support network," the Monitor reported. "The refugees' return to five towns in the conflictive zones in Chalatenango, Cabanas, and Cuscatlan provinces would directly contradict the Army's efforts."

However, on August 7, President Duarte signed the Arias Peace Plan, which includes a provision calling for governments to protect refugees wishing to repatriate and to facilitate their return. American church observers present at the border told Refugee Reports that draped across the front of the first bus to cross the border was a banner reading "WE ENTER EL SALVADOR UNDER THE PROTECTION OF THE ARIAS PEACE PLAN."

UNHCR Played Negotiating, Logistical Role The UNHCR role in the repatriation effort was a matter of some controversy, as some advocates had accused the organization of opposing the repatriation. In actuality, the UNHCR had been involved for some time in negotiating for the voluntary repatriation of Salvadoran refugees with the Honduran and Salvadoran governments through the Tripartite Commission.

According to sources in the UNHCR, the High Commissioner, Jean Pierre Hocke, personally intervened in order to win the support of the Salvadoran government for the plan. At one point, in what a UNHCR source called "an exercise in brinksmanship" the agency withdrew logistical support for the repatriation effort "in order to get the Salvadoran government to come around." The strategy apparently worked, and the UNHCR was involved "in full force" on both sides of the border in the repatriation effort.

At press time, there are still unresolved questions about the final destination of all of the refugees. It is unclear that all have been permitted to return to their home villages, many of which have been virtually destroyed and abandoned in the course of the civil war. Escobar said, "The government has agreed to allow people to return to their places of origin, but the military doesn't agree with the government and the army is now blockading the refugees' return to certain areas."

The question of documentation for the returned refugees has also, apparently, been left unresolved. Another U.S. observer who accompanied the refugees to the border, Sister Janet Gottschalk of the Medical Mission Sisters, told Refugee Reports that close to two-thirds of the refugees were children born in Honduras without documentation. Many of the adults, it is believed, also either destroyed or abandoned documents identifying them as Salvadorans when they fled the country.

Remaining Refugees in Honduras Watch Closely The 4,314 refugees who returned are only a fraction of the 20,700 Salvadoran refugees who have been living in Honduran refugee camps for the past six years. In Mesa Grande itself, some 7,000 refugees remained behind.

The UNHCR cable noted, "Remaining population in Mesa Grande followed repatriation preparation and departure with great interest. Favorable comments were heard. Some refugees mentioned new mass repatriation could happen before end of the year but most are waiting for news before taking a decision."

Schultz reported that a refugee remaining behind approached him and said, "When you go home, say 7,000 remain here. Don't forget us. Also tell them, we will follow."

SENATE PASSES AMENDED HATFIELD BILL ON INDOCHINESE REFUGEES

On October 7, the Senate passed an amended version of the Indochinese Refugee Resettlement and Protection Act of 1987 introduced by Sen. Mark O. Hatfield (R-Ore.). The bill expresses a "sense of the Congress" that U.S. refugee admissions from the region

HIGHLIGHTS OF THE INDOCHINESE REFUGEE RESETTLEMENT AND PROTECTION ACT OF 1987 (FORMERLY S.814/H.R.1940)

Purpose: To provide for the protection of refugees in Southeast Asia through improvements in camp security and living conditions, as well as through the promotion of appropriate durable solutions and an ongoing resettlement program.

Section 704: The President shall submit a report within 120 days of enactment of this Act assessing the merit of transferring the authority to admit all refugees under the Immigration and Nationality Act from the Attorney General to the Secretary of State.

Section 705: Given the existing connection between ongoing resettlement and the preservation of first asylum, and to provide a stable and secure environment for refugees while dialogue is pursued on other long-range solutions, including voluntary repatriation and local settlement, it is the sense of the Congress that within the worldwide refugee admissions ceiling determined by the President, the President shall allocate (A) at least 28,000 admissions from East Asia, and (B) at least 8,500 admissions for the Orderly Departure Program for each of the fiscal years 1988, 1989, and 1990.

It is the sense of the Congress that Indochinese refugees who have lived in camps for three years or longer are of special humanitarian concern to the United States and should be considered as eligible for refugee processing. Under the leadership of the United States, renewed international efforts should be made to resettle these long-stayers, as proposed in the Report of the Secretary of State's Indochinese Refugee Panel in April 1986.

Section 706: The bill allocates $5 million for each of the fiscal years 1988 and 1989 "for educational programs, projects, or activities along the Thai-Laotian border and the Thai-Cambodian border which are carried out by Thai or other non-governmental organizations in conjunction with relief organizations and civilian camp leadership."

Section 707: The bill allocates $5 million for each of the fiscal years 1988 and 1989 "to provide financial assistance for Thai villages affected by Indochinese refugee camps."

Section 708: The bill allocates $2 million for each of the fiscal years 1988 and 1989 "to train and deploy the Royal Thai Army to protect Indochinese refugees and those in refugee-like situations in Thailand."

Section 709: "It is the sense of the Congress that the international community should increase its efforts to assure that Indochinese refugee camps within Thailand are protected and that international observers and relief personnel should be present on a twenty-four hours-a-day basis at camp "Site 2" and any other camp where it is deemed necessary."

should remain at current levels for the next three fiscal years, and authorizes funds for refugee protection and education in Thailand.

Hatfield's legislation, which was attached to a State department authorization bill, passed by a vote of 63 to 33, and now goes to a House-Senate conference committee for further consideration. (An article on other refugee-related amendments follows.)

The current version of Hatfield's bill differs from the original version (S. 814) drafted in March in that all statutory changes to the Refugee Act of 1980 have been removed. Hatfield said the changes were made "to accommodate the chairman of the Foreign Relations Committee, who would prefer not to have legislation amending the Refugee Act of 1980."

"I believe the United States remains committed to a responsible resettlement program in Southeast Asia for the next three years," said Hatfield in an October 7 Senate speech. "Only such a commitment will ensure protection for the overwhelming majority of refugees in the region who will not be resettled and cannot go home at this time."

A primary opponent of the bill was Sen.

ROLL CALL VOTE ON HATFIELD AMENDMENT

YEAS--63

ADAMS (D-Wash.)
ARMSTRONG (R-Colo.)
BAUCUS (D-Mont.)
BINGAMAN (D-N.M.)
BOREN (D-Okla.)
BOSCHWITZ (R-Minn.)
BRADLEY (D-N.J.)
BUMPERS (D-Ark.)
CHAFEE (R-R.I.)
CRANSTON (D-Calif.)
D'AMATO (R-N.Y.)
DASCHLE (D-S.D.)
DeCONCINI (D-Ariz.)
DIXON (D-Ill.)
DODD (D-Conn.)
DOLE (R-Kan.)
DOMENICI (R-N.M.)
DURENBERGER (R-Minn.)
EVANS (R-Wash.)
FOWLER (D-Ga.)
GARN (R-Utah)
GLENN (D-Ohio)
GRAHAM (D-Fla.)
HARKIN (D-Iowa)
HATCH (R-Utah)
HATFIELD (R-Ore.)
HECHT (R-Nev.)
HEINZ (R-Pa.)
HELMS (R-N.C.)
HOLLINGS (D-S.C.)
INOUYE (D-Hawaii)
KASTEN (R-Wis.)
KERRY (D-Mass.)
LAUTENBERG (D-N.J.)
LEAHY (D-Vt.)
LEVIN (D-Mich.)
MATSUNAGA (D-Hawaii)
McCAIN (R-Ariz.)
McCLURE (R-Idaho)
MELCHER (D-Mont.)
METZENBAUM (D-Ohio)
MIKULSKI (D-Md.)
MITCHELL (D-Maine)
MURKOWSKI (R-Alaska)
NUNN (D-Ga.)
PACKWOOD (R-Ore.)
PELL (D-R.I.)
QUAYLE (R-Ind.)
REID (D-Nev.)
RIEGLE (D-Mich.)
SANFORD (D-N.C.)
SARBANES (D-Md.)
SASSER (D-Tenn.)
SPECTER (R-Pa.)
STAFFORD (R-Vt.)
STENNIS (D-Miss.)
STEVENS (R-Alaska)
SYMMS (R-Idaho)
TRIBLE (R-Va.)
WARNER (R-Va.)
WEICKER (R-Conn.)
WILSON (R-Calif.)
WIRTH (D-Colo.)

NAYS--33

BENTSEN (D-Tex.)
BIDEN (D-Del.)
BOND (R-Mo.)
BREAUX (D-La.)
BURDICK (D-N.D.)
BYRD (D-W.Va.)
CHILES (D-Fla.)
COCHRAN (R-Miss.)
COHEN (R-Maine)
CONRAD (D-N.D.)
DANFORTH (R-Mo.)
EXON (D-Neb.)
FORD (D-Ky.)
GRAMM (R-Tex.)
GRASSLEY (R-Iowa)
HEFLIN (D-Ala.)
HUMPHREY (R-N.H.)
JOHNSTON (D-La.)
KARNES (R-Neb.)
KASSEBAUM (R-Kan.)
LUGAR (R-Ind.)
McCONNELL (R-Ky.)
NICKLES (R-Okla.)
PRESSLER (R-S.D.)
PROXMIRE (D-Wis.)
PRYOR (D-Ark.)
ROCKEFELLER (D-W.Va.)
ROTH (R-Del.)
RUDMAN (R-N.H.)
SHELBY (D-Ala.)
SIMPSON (R-Wyo.)
THURMOND (R-S.C.)
WALLOP (R-Wyo.)

NOT VOTING--4*

GORE (D-Tenn.)
KENNEDY (D-Mass.)
MOYNIHAN (D-N.Y.)
SIMON (D-Ill.)

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* The four senators not voting were absent. According to the Congressional Record transcript, Senator Gore, "if present and voting, would vote 'yea'." Moynihan and Simon were co-sponsors of the original Hatfield bill (S-814).

Alan K. Simpson (R-Wyo.), ranking minority member of the Subcommittee on Immigration and Refugee Affairs. In a floor debate on the amendment, Simpson called the measure a "mistake." The U.S. resettlement program "creates a real draw," he said, inducing more people to leave Vietnam, Cambodia, and Laos "seeking greater freedom and greater economic opportunity." This makes them "economic migrants, not refugees," Simpson said. "They indeed pass the test as human beings who are in wretched circumstances, but do not pass the test of refugee."

"I just do not think...that it is right," Simpson continued, "to do violence to the Refugee Act by legislating specific numbers for a specific area of the world."

"We are not asking for any change in definitions," Hatfield responded. "We are not asking for any change in the regulations." He called the resolution a "signal" of a three-year commitment to resettlement in Southeast Asia.

The chairman of the Senate Subcommittee on Immigration and Refugee Affairs, Sen. Edward Kennedy (D-Mass.), was absent for the vote on the amendment.

SENATE PASSES FOREIGN RELATIONS BILL WITH REFUGEE AMENDMENTS

The Senate on October 8 passed a foreign relations bill authorizing appropriations of up to $3.6 billion for the Department of State in FY 88. Refugee-related amendments in the bill covered a variety of issues, including protection and resettlement of Indochinese refugees (see previous stories), new penalties for expulsion of asylum-seekers from Communist countries, permanent residency for Poles in the United States with extended voluntary departure (EVD) status, and wider processing criteria for Cuban political prisoners.

H.R. 1777, which includes a total of 36 amendments, passed by a vote of 85 to 8 and has been referred to a House-Senate conference committee for further consideration.

Helms Offers "Medvid Memorial" Amendment

An amendment introduced by Sen. Jesse Helms, (R-N.C.), and approved by voice vote, would suspend without pay for one year any U.S. government employee "who orders the expulsion...of any person seeking political asylum from a Communist country without the review and rejection of the person's claim by the Secretary of State and the Attorney General." The "Miroslav Medvid Memorial Act of 1987" is named for the Russian seaman who tried to defect when his freighter was anchored off New Orleans in October 1985. Medvid was returned to the Soviet ship by the U.S. Border Patrol.

"The amendment is unnecessary," said Sen. Alan K. Simpson (R-Wyo.) "and would only encourage additional 'country specific' amendments to the Refugee Act," which was drafted to be "ideologically neutral." "I fear we are returning to the old patchwork of different programs that evolve in response to specific areas of concern--or pressure," he said.

Simpson was joined in opposition to the Helms amendment by Sen. Edward M. Kennedy (D-Mass.), chairman of the Subcommittee on Immigration and Refugee Affairs. "It really turns the clock back on our efforts to treat all refugees from all countries fairly and equitably," said Kennedy. "I am astonished anyone would propose that we treat refugees fleeing Communist persecution any differently than we treat refugees fleeing persecution of the left or right. Why not add Iran, South Africa and Chile to the list of countries identified in this amendment?"

Mikulski and Lautenberg Amendments Pass

The Senate also passed an amendment introduced by Sen. Barbara Mikulski (D-Md.) to allow about 7,000 Polish refugees living in the United States since July 21, 1984 to adjust to permanent resident status. This group is currently living under EVD status, a temporary stay of deportation granted to specific nationality groups at the discretion of the Attorney General. "Having their status renewed every 6 months does not permit these refugees to lead a stable life," said Mikulski. "They are in a constant state of limbo."

A provision introduced by Sen. Frank R. Lautenberg (D-N.J.) would, in his words, "eliminate barriers to Cuban entry into the United States that have arisen as a result of the breakdown of the Mariel Migration Agreement." Under that agreement, the United States had committed itself to resettle up to 3,000 Cuban political prisoners and their immediate families if Cuba would take back some 2,700 "Marielitos" who were found to be excludable for reasons of mental illness or previous criminal activity after coming to the United States as part of the Mariel Boatlift in 1980.

Cuba suspended that agreement in May 1985 and in response, the United States "instituted a policy of processing only Cuban political prisoners in jail more than 10 years, and we cut off normal Cuban immigration," Lautenberg said. His amendment allows processing of Cuban political prisoners "without regard to the duration of such imprisonment" and restores normal immigration processing. "It is unfair and unwarranted to punish Castro's own victims for Castro's behavior toward the United States," said Lautenberg.

NEW FAMINE THREATENS ETHIOPIA

The 1984-85 famine in Ethiopia, which killed many Ethiopians and caused the exodus of hundreds of thousands more to neighboring countries in search of food, is still fresh in the minds of Ethiopians and the international community. Yet, less than three years after the onset of that devastating famine, Ethiopians are bracing for another.

Concern about the drought and potential famine began early in the summer, when expected rains failed to come. Paulos Tesfa Giorgis, head of the Sudan-based Eritrean Relief Association (ERA), who recently visited the United States to appeal for food aid for Eritrea, told Refugee Reports, "In 1985 we had some rains, and in 1986, they were good. In May 1987, the rains began and gave people hope for this year. They began to prepare their land for the June rains. But in June we had very small rains, and in July, none at all. So we had nothing either for the early crops or for the late crops. Now there is more or less total failure of crops in Eritrea."

Another area deeply affected by the drought is the province of Tigray, where the problem has been severely compounded by a plague of locusts, which threatens to destroy what few crops survived the drought. According to the Relief Society of Tigray (REST), more than two-and-a-half million people are threatened by the effects of plague and famine. REST says that there is an "urgent need to bring emergency relief to people in their villages and thus prevent a massive influx of refugees to Western Tigray or over the border into the Sudan."

On September 29, the United States responded to appeals from Ethiopia and voluntary aid agencies working there by announcing a pledge of 114,252 metric tons of food to help people in the drought-affected areas. The United States will also pay for the cost of transporting the food to its final destinations within Ethiopia. To allay fears that the Ethiopian government might divert food for other purposes, the food aid is being channeled through U.S. agencies operating in Ethiopia.

Other donor countries have not been as quick to respond. At a meeting of representatives of donor countries held in Addis Ababa recently, pledges announced by western donors fell far short of the anticipated need. A UN representative warned that donors should begin planning for large-scale airlifts in 1988.

Although the American aid has been approved as a humanitarian gesture, there is growing concern within the U.S. government that Ethiopia's brand of socialist agricultural polices is causing its inability to deal with crises when they arise.

According to U.S. Agency for International Development (AID) official Alexander Love, testifying before the House Select Committee on Hunger on October 8, "Ethiopia's agricultural policies provide no production incentive for the peasant farmer--the source of ninety percent of Ethiopia's agricultural production." He added, "The state farms, however, notorious for their inefficiency and squandering of resources, receive the lion's share of the agricultural budget. Consequently, total agricultural production has stagnated since 1980."

Love told the committee that "agricultural policies cannot compensate for a lack of rain, but appropriate farm policies can help generate surpluses in good years that will help meet deficits in bad years."

Although humanitarian aid is not yet threatened by Ethiopia's refusal to reform its agricultural policies (the United States does not give Ethiopia development aid), there are already those who feel such aid should not be given. Several questions during the select committee hearings concerned how long congress would continue to vote for such aid without guarantees of reforms.

For those threatened with famine, however, the problem is now. Giorgis said, "We have food to enable us to reach November 1987 only. After November, ERA has no food available and has appealed for food to reach Eritrea by November."

Following the recent U.S. pledges, food deliveries will start. Lutheran World Relief (LWR), one of a consortium of aid agencies which works with ERA and REST, is among those agencies through which the U.S. food aid will be channeled. Norman Barth, LWR executive director, testifying before the select committee, reinforced the need

1985: Ethiopian refugee children receive supplementary feeding.

photo: Hiram A. Ruiz, USCP

to get food to the refugees in their villages quickly. "Our desire...is to be able to feed people where they live in Eritrea and Tigray--not in feeding camps in the Sudan, as in 1984 and 1985," he said. "It's much better to keep farmers on their land. This is a way to escape the horrors of feeding camps and the disruption of the fragile economies of the region."

Projects and Programs

PROJECT WORKS TO PROTECT REFUGEE CHILDREN FROM SEXUAL ABUSE

Child abuse, now recognized by the American public at large as a problem of wider dimensions than many ever expected, has, for the most part, not been acknowledged by the Southeast Asian community. But refugee children have also been found to be victimized.

The isolation of the Southeast Asian community, based on language as well as cultural barriers, has made it difficult for its members to report these crimes or to help the victims.

However, in the state of Washington, King County Rape Relief initiated a Southeast Asian Child Sexual Assault Prevention Project (SEACAPP) in response to a suspicion that refugee children were also vulnerable to sexual abuse. Although no cases of Southeast Asian sexual assault had been reported prior to the start of the project, after Lao and Vietnamese speaking counselors were made available in March 1986, six third-party accounts and two victim calls involving Southeast Asians were reported. Of these, four were child molestation cases.

SEACAPP staff believe that the problem is far more extensive than reporting would indicate. Several cultural factors suggest the vulnerability of Southeast Asian refugee children. First, according to Debbie Wong, outreach coordinator for the project, "Southeast Asian children are typically taught always to comply with what adults tell them to do." They are taught that it is proper to respect the wishes of authority figures, thus making it difficult to follow the assertive techniques generally suggested to children to prevent abuse. Second, Southeast Asian cultures teach that discussion of sexual issues is a taboo. This, the SEACAPP staff say, inhibits children from telling about sexual assault as well as the family's willingness to report incidents to outsiders. Third, Southeast Asians value family reputation to the extent that it is believed some families may not report sexual assaults out of embarrassment and fear of rejection by the community.

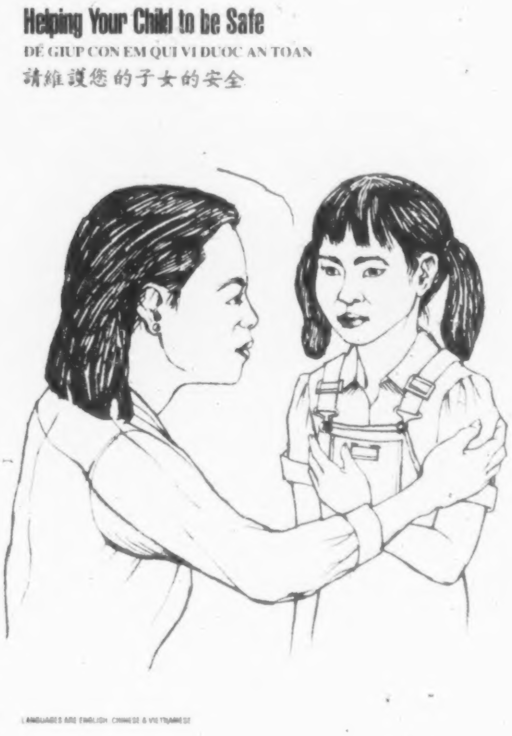
Counselors Attempt to Overcome Cultural Barriers Wong said that the most important factor for a successful program of this nature is to establish trust with the clients. Approaches are made to respected community leaders, and SEACAPP has sponsored several programs of general community education. "But we haven't overcome all the resistance," said Wong. "Denial is very strong."

When a child abuse case comes to light, Wong said that the first step is for SEACAPP counselors to help the parents to believe the child. "Usually the parents have trouble believing the child. Some children have even been made outcasts. But we calm the parents down, and they usually end up coming around."

In counseling sessions, children and parents are interviewed in separate rooms. Wong said that it would be considered disrespectful for a child to speak of these subjects to an outsider in the presence of his or her parents.

Wong said that SEACAPP has had surprising success in the receptivity of parents to teaching children to say "no" to unwanted touching. This is considered to be a particularly important breakthrough in light of the culture's emphasis on children's obedience to adults.

Multilingual Materials Reach Out to Refugee Communities SEACAPP has developed several resources directed to informing the Southeast Asian community about the problem of child abuse and how to prevent it. A 40-page illustrated booklet, Helping Your Child to be Safe, is available in two multilingual editions, English-Khmer-Lao and English-Vietnamese-Chinese. The booklet's illustrations would be appropriate for use by teachers or counselors for those who might have trouble reading the text. The booklet includes case stories, a glossary of words, and advice on how sexual abuse


Helping Your Child to be Safe
DẾ GIUP CON EM QUI VI DUOC AN TOAN
請維護您的子女的安全
LANGUAGES ARE ENGLISH, CHINESE & VIETNAMESE

Child abuse prevention booklet aimed at Southeast Asian community

can be detected, prevented, or reported.

Another illustrated booklet provides Southeast Asian teenagers with advice on ways to avoid sexual assault. Be Aware, Be Safe, written in easy-to-read English with a glossary of terms in Khmer, Lao, Vietnamese, and Chinese, discusses rape, dating mores, how to prevent sexual assault, and what to do after being assaulted.

A "Protect Your Children" poster is also available in Chinese and Vietnamese, and Khmer and Lao.

SEACAPP is also presently developing three videos (directed to parents; teenagers; and younger children) and a curriculum closely linked to the booklets. Wong said that the development of these resources will be especially helpful for those who are not able to read, and will also help to include education on child abuse in English-as-a-second-language and cultural orientation classes.

King County Rape Relief has also published He Told Me Not to Tell, in Spanish and English editions, which informs parents about the risks their children might face. It suggests ways parents can teach their children how to protect themselves through story telling and "what if" and "saying no" games.

He Told Me Not to Tell is available in Spanish or English for $2.50. The other publications and posters in Southeast Asian editions are available for $1.25 each. Bulk discounts are also available. Add 10 percent to the price of the order for postage and handling. To order materials, or for further information about the project, contact King County Rape Relief, 1025 South Third, Renton, WA 98055. (206) 226-5062.

Resources

AMNESTY INTERNATIONAL 1987 REPORT FOCUSES ON REFUGEES, ASYLUM SEEKERS

Many governments have become more anxious to deny sanctuary to political refugees than to stop the persecution that caused their plight, said Amnesty International, as it released its 1987 report on human rights abuses worldwide.

Amnesty said that men, women, and children fleeing persecution increasingly are finding the doors to safe haven "being slammed in their faces."

As evidence of this growing tendency to reject asylum seekers, Amnesty noted the repatriation by France of Spanish Basques to Spain in 1986. The Basques claimed that they were tortured upon their return, a claim supported by medical evidence.

The report also cited the return of Soviet citizens to the USSR by Finland. They were still imprisoned in the Soviet Union at the end of 1986.

Botswana also forcibly returned a Zimbabwean opposition figure who was then held in incommunicado detention for months, according to the report. At the end of 1986, he was still being held without charge or trial.

The Amnesty report also noted the convictions of members of the sanctuary movement in the United States, who had openly challenged the application of U.S. immigration laws by providing safe haven to refugees from El Salvador and Guatemala.

The Amnesty International report, covering the 1986 calendar year, includes summaries of human rights conditions in 129 countries, from all geographical regions, and representing the entire spectrum of political systems.

The report is available for $10 from Amnesty International, National Office, Publications Department, 322 Eighth Avenue, New York, NY 10001.

INTERACTION PUBLISHES SOUTHERN AFRICA DEVELOPMENT NEWS

The first edition of Southern Africa Development News (SADN), a bimonthly publication of InterAction, The American Council for Voluntary International Action, was published in October.

Produced by Interaction's Southern Africa Task Force, the twelve-page newsletter will "act as a forum for organizations and individuals interested or engaged in development/relief work in Southern Africa," according to its editor. The October edition includes articles on voluntary agency activity in Mozambique, Angola, Malawi, and Bostwana; legislative updates; conference notes; and interviews.

InterAction member agencies automatically receive one free subscription. Additional subscriptions are $50 per year. Direct subscription inquiries to Lee Cameron, InterAction, 200 Park Avenue South, New York, NY 10003. (212) 777-8210.

BOOKLET INTRODUCES THE CULTURE OF IRANIAN REFUGEES

The basics of Persian culture are introduced to the American public in Iranian Refugees in America: A Cross-Cultural Perspective.

The 23-page booklet describes important customs and social norms and shows how misunderstandings can arise based on cultural differences between Americans and Iranians. For example, while Persian culture has an elaborate system of hospitality and social etiquette, Americans are more likely to be straight-to-the-point in ways that would strike Iranians as rude. Conversely, Iranians are more likely to ask personal questions in the course of social conversation, questions that would strike many Americans as an invasion of privacy, but which Iranian culture looks upon as a sincere expression of interest and friendship.

Iranian Refugees in America is directed toward refugee sponsors and service providers. For example, it advises, "It is important that sponsors of refugees or others should greet the new arrivals, visit them in their homes, and invite them to tea or dinner. It is part of their cultural expectation that newcomers should be greeted and visited." The authors suggest that American families pair with newly arrived refugees "as a kind of buddy system."

Iranian Refugees in America is available for $1 from the U.S. Baha'i Refugee Office, National Spiritual Assembly of the Baha'is of the United States, Wilmette, IL 60091. A companion volume, also available in Persian, highlights salient features of American culture and society for Iranian refugees.

VIDEO SHOWS HMONG SHAMANS

The aptly titled video, "Between Two Worlds: The Hmong Shaman in America," shows how the ritual practices of Hmong Shamans have been transported to the United States and continue to be performed among the refugee community.

Ancient shamanic rituals, including animal sacrifice and trance-like healing, are shown being performed in the heart of a modern American city. The 28-minute video, winner of several film awards, also shows the cultural tensions caused by the dislocation of the Hmong to the United States. In one episode, a missionary tries to convert a traditional Hmong family. The film also looks closely at the phenomenon of Sudden Unexpected Death Syndrome (SUDS), which strikes young men in the community.

To rent the video, send $40, plus $5 postage and handling, to Siegel Productions, P.O. Box 6123, Evanston, IL 60202. To order by phone call (312) 528-6563, indicating video format. Rentals are for one showing only and should be placed well in advance. The purchase price of the video is $200.

U.S. REFUGEE ADMISSIONS CEILINGS

	FY 87 CONSULTATION LEVELS	FY 87 REALLOCATED LEVELS	FY 87 ESTIMATED ARRIVALS IN THE U.S.	FY 88 AUTHORIZED ADMISSIONS CEILING
Africa	3,500	2,000	2,000	3,000
East Asia				
First Asylum	32,000	32,000	30,800	29,500
ODP	8,500	8,500	8,500	8,500
Eastern Europe and the Soviet Union	10,000	12,300	12,300	15,000
Latin America and the Caribbean	4,000	1,000	400	3,500
Near East/South Asia	8,000	10,200	10,000	9,000
SUBTOTAL	66,000	66,000	64,000	68,500
Unallocated Reserve	4,000	4,000	0	4,000
TOTAL	70,000	70,000	64,000	72,500

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